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ABSTRACT

The problems of alcohol as it affects highway safety is the subject of this manual, which was prepared for a three-day training workshop. This document is intended for the workshop leader (or instructor) who will actually present the workshop. It includes information about the conduct of discussion groups and case studies, as well as some lesson outlines in the traditional format. The objectives of the entire training course and for each unit (or lecture) are presented. The content of each unit is described, and applicable references or sources are identified. The document also includes a discussion of instructor and student (participant) attributes that relate to the effectiveness of this workshop. Appendix topics include the following: excerpts from research studies of factors influencing alcohol-related arrests, workshop leader and participant qualifications, controlled drinking demonstration, and the chemistry and physiological effects of alcohol. (CT)

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POLICE MANAGEMENT TRAINING

FACTORS INFLUENCING DWI ARRESTS

Workshop Leader Outline (Instructors Manual)

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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Department of Transportation
National Highway Traffic Safety
Administration
October 1976

Author's Note

While the original and official title of this project is as shown on the title page and cover, the phrase "driving while intoxicated" (or DWI) is replaced in much of the text with the phrase "alcohol-related offense" (or violation or arrest). Also, in place of "management" we have frequently used "command and supervisory personnel." The former change has been made to indicate that the scope encompasses all alcohol-related traffic violations even though other designations than DWI may be used. The second change is thought to be more explicitly descriptive of the audience to whom this training is directed.

FOREWORD

The threat posed by the drinking driver to the lives and property of others, as well as to himself, continues at a tragically high rate. This rate is intolerable; alcohol-related automobile crashes must be reduced. The Department of Transportation (DOT) is carrying out a multifaceted integrated program to achieve such a reduction.

Among the several projects supported by DOT were two studies of the factors that influence a police officer's discretion in the enforcement of driving-while-intoxicated (DWI) laws. In the chain of events, from detecting a DWI suspect until the suspect is arrested, cited, or released, there are decision points at which the investigating officer can elect to proceed with a DWI arrest or to arrest or cite the suspect on a lesser charge, or to release the suspect. The two studies sampled a wide range of police organizations and, using survey as well as interview techniques, identified several factors which do influence the police officer's decision (either positively or negatively) to make an arrest. One of these studies was confined to jurisdictions in which Alcohol Safety Action Programs (ASAP) had been established, and the second study was concerned with non-ASAP areas.

The goal of this training package is to acquaint police managers with the factors and help them to identify and understand the command and supervisory actions that should be taken. In behavioral terms, upon completion of this training the student will be able to identify and implement management actions appropriate for increasing DWI enforcement in his own community. This training is not intended simply to transmit knowledge; it is intended to produce changes in the student's job performance.

The emphasis on management actions appropriate to a given community is important. It was found that the factors affecting the DWI arrest decision are not the same in all communities. Also, a manager's actions in response to a given factor must be designed with the needs and characteristics of the community in mind. Because of the importance of developing unique management actions, this training has been designed in a workshop format. This format requires active student involvement which not only enhances learning but affords the student practice in evaluating and applying the material to his own situation.

The training package consists of three documents:

- Planning Guide

  This is addressed to persons responsible for selecting and initiating training programs. The Planning Guide describes the workshop briefly, presenting the objectives as well as an outline of the content. In addition, the Planning Guide describes the administrative requirements, such as the required instructor personnel, facilities and local involvement.

- Workshop Leader Outline

  This document is intended for the workshop leader (or instructor) who will actually present the workshop. Since this workshop is not restricted to traditional lecture presentation, the leader's guide includes information about the conduct of discussion groups and case studies, as well as some lesson outlines in the traditional format. This document presents the objectives of the entire training course and the objectives of each unit (or lecture). The content of each unit is described and applicable references or sources are identified. The document also includes a discussion of instructor and student (participant) attributes that relate to the effectiveness of this workshop.

- Participant Manual

  This document is an overall guide to the content of the workshop. The term "participant" is used rather than "student" to emphasize the active involvement expected of each attendee. The manual is intended to give the participant an understanding of what the workshop can be expected to do for him and, in turn, it describes what is expected of him by way of preparation and participation. This is not a textbook, but it does contain some content material as well as references to all basic source material for each of the topics covered in the workshop. It is designed to be used for preparation prior to the workshop, as well as during the actual session.

All of the documents of this course provide for the addition of material specific to the needs of the department providing the training. This allows the workshop to be presented in a way that is fully responsive to the needs of each department and, in such areas as procedures and policy, allows for the inclusion of the necessary factual material.

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Factors Influencing Arrests for Alcohol-related Traffic Violations

Factors Influencing Alcohol Safety Action Project Police Officers' DWI Arrests

APPENDIX B. Workshop Leader and Participant Qualifications

APPENDIX C. Controlled Drinking Demonstration

APPENDIX D. Chemistry and Physiology of Alcohol

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This training material was developed for the National Highway Traffic Safety Administration by Dunlap and Associates, Inc., of Darien, Connecticut. Mr. Edward W. Bishop of the Dunlap staff was the author. However, there are many persons who contributed directly or who gave guidance that helped shape the format and content of this training package; their assistance and support is gratefully acknowledged.

- Mr. Cecil B. Arnold was the NHTSA Contract Technical Manager for this package and provided able direction and advice from the conceptual stage through the final production. His help in evaluating the trial presentations of this training was especially valuable.

- Mr. Richard R. Frederick, of NHTSA, was the Technical Specialist for this package and provided a unique contribution. His police experience both as an officer and an instructor helped greatly to make this a practical and workable training package. His special concern for the DWI problem helped to make clear the specific objectives to be addressed.

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Finally, the assistance of the Dunlap staff in the preparation of this package must be acknowledged. In particular, the craftsmanship and careful attention to detail brought to this program by Miss Frances Kowaleski have helped produce an accurate, highly usable training package.

I. INTRODUCTION AND BACKGROUND

A. Purpose of this Document

The Workshop Leader Outline (WLO) is a manual for the instructor who will present the workshop. The WLO is the functional equivalent of the lesson outlines prepared for instructors of more traditional, classroom courses. The WLO contains information on preparing for, as well as actually conducting, the workshop. Summaries or outlines of the workshop content are included along with references to more complete and detailed sources.

The primary purpose of the WLO, then, is to prepare the leader, and the secondary purpose is as a guide and reference during the workshop. The WLO is not a complete "textbook." It identifies the content to be presented and offers guidance as to how it is to be presented. The leader is assumed to either have the required information (from other training and experience) or that he will use the references cited here. In particular, it is assumed that the instructor will absorb the summaries of the research studies presented in Section C and Appendix A.

B. Use of the WLO

The WLO has been designed to be read from beginning to end in the order presented. This provides the reader with an overview of the workshop and gives a logical, sequential development to the required background and guidance.

The leader should then begin his preparation by re-reading Sections I through V. This will tell him what he must do (planning, instructional strategy, etc.) and what resources he will need to carry out the workshop. He should then go through the Unit Outlines--Section VI--reading them to determine what information he is lacking. This will naturally lead him to the appended summaries and to other sources.

When the leader is satisfied that he is conversant with what he will be doing and is comfortable with his knowledge of content, he should go back through the Unit Outlines to develop and annotate his own, unique approach to presentation and discussion. It is suggested that the leader prepare a detailed "script" of the material he will present, examples, visual aids, anecdotes, questions for the participants, etc.

The Unit Outlines will become a personalized document to help the leader cover all of the material within the allocated time and be prepared to maintain participant interest and involvement. There are obviously a practically infinite number of presentation styles for this workshop, at least one for each qualified leader. The different styles will each require a somewhat different preparation. Therefore, it cannot be asserted that any one way of using the Unit Outlines is absolutely better than any other. However, there seems to be almost universal agreement that extensive, detailed notes are more useful to the instructor (or leader) than are brief, cryptic ones. The leader who is preparing to conduct this workshop is urged to make detailed annotation for each unit, using separate interleaved pages if necessary. With this kind of preparation, the leader is less likely to find himself at a loss for information and will more likely make a complete, coherent presentation.

The workshop leader is encouraged to prepare himself thoroughly and carefully. The range of material covered is very broad while for practical considerations the schedule allows only three days for the entire workshop. The material has been tested and it can be comfortably presented in the scheduled time. However, the leader must be fully conversant with the subject matter and the manner of presentation. It is estimated that a trained instructor will require four to five days to prepare to present this workshop.

C. Summary of Research on Factors Influencing Alcohol-related Arrests

The most basic preparation the leader must undertake is to become thoroughly familiar with the material to be presented, i.e., factors influencing alcohol-related arrests. This is accomplished in essentially a phased approach. In the paragraphs that immediately follow, the research studies that underlie the workshop are briefly summarized. This provides an overview and sufficient information to go ahead with the reading of the WLO as suggested in the preceding section. In following the suggested preparation, the leader is directed to Appendix A which consists of excerpts from the research reports. This provides an understanding of how the research was carried out and the detailed recommendations that were made. If the leader wishes, he could read the full technical reports for the complete details of the survey results, analyses and conclusions. However, the information in Appendix A is sufficient for a successful presentation of this workshop.

The need for police management training in factors influencing alcohol-related arrests arises from two earlier research research studies directed at identification of these factors.* The two studies were conducted by different research teams, yet were similar in approach and technique. Both had the same objective, to identify the personal and environmental factors that influence a police officer's decision to arrest in an alcohol-related traffic offense. One study was concerned only with ASAP** areas, while the other study was concerned only with non-ASAP areas. Overall, there is no evidence of any significant differences between ASAP and non-ASAP officers with regard to their attitudes concerning alcohol-related arrests or to the factors that influence their decision about making such an arrest. There is a higher arrest rate among ASAP officers, however, by virtue of their specialized assignment.

In spite of the similarity in the two approaches, it is best to let each study speak for itself before attempting to develop generalizations. Table I is in two parts which are excerpts that summarize the factors identified in each study. Even a cursory examination of these summaries shows the substantial agreement between the two results.

Several recommendations for actions to enhance alcohol-related enforcement were developed in each study. The actions are ones which must be taken by command or supervisory personnel to reinforce those attitudes and factors that will enhance enforcement and to counteract those attitudes and factors that tend to reduce enforcement. The recommendations are reported fully in Appendix A. A brief summary is given below.

The recommendations are grouped under four headings that correspond to the major areas of command and supervisory responsibility for which recommendations were made. The areas are Policy, Operations (or Enforcement), Training and Communication. In this summary, each recommendation has been identified with the command and supervisory area in which it has the greatest impact. Obviously, any action by police management personnel relates in some measure to all four areas. For example, any training effort must be supported by a policy commitment and any management action must be communicated to the whole department. Thus, the

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*Factors Influencing Arrests for Alcohol-related Traffic Violations, Final Report. Prepared by Dunlap and Associates, Inc., Darien, Connecticut 06820, for the U. S. Department of Transportation, NHTSA, September 1974 (available from NTIS, #PB-237004).
Factors Influencing Alcohol Safety Action Project Police Officers' DWI Arrests, Final Report. Prepared by Arthur Young & Company, Washington, D. C. 20036, for the U. S. Department of Transportation, NHTSA, 29 April 1974 (available from NTIS, #PB-232538).

**Alcohol Safety Action Project, a federally funded project operated at a state or local level to reduce alcohol-related traffic offenses by means especially selected for the project site.

Table I(a).

Factors Influencing the Alcohol-Related Arrest Decision,
Non-ASAP Areas
(table adapted from the study report)

A. Factors Relating to the Officer's Background

- The officer's age and experience.
- His personal use of alcohol.
- His awareness of the relationship between alcohol and intoxication.
- The extent of training he has received for A/R enforcement.
- His duty assignment, in particular his assignment relative to traffic law enforcement.
- His educational status.

B. Factors Relating to the Officer's General Attitude toward A/R Violations

- The officer's perception of the A/R problem.
- His attitude toward A/R offenders.
- His perception of the suitability of A/R penalties.
- His attitude toward alternatives to A/R arrest.

C. Factors Specific to a Given Incident

- The time of day, and time remaining in the duty tour.
- The suspect's degree of intoxication.
- The weather conditions.
- The suspect's attitude.
- The suspect's age, sex, and race.
- Accident involvement in the incident.
- Involvement of other traffic violations in the incident.
- The suspect's position in the community.

D. Factors Relating to the Local Environment

- Court disposition of A/R cases.
- Departmental policy concerning A/R enforcement.
- The magnitude of other law enforcement problems encountered.
- A/R arrest processing procedures.

Table I(b).
Factors Influencing the Alcohol-Related Arrest Decision, ASAP Areas
(table adapted from the study report)

A. Personal Factors
- Officer's age and experience
- Officer's drinking habits (18%)
- Attitude toward drunk drivers (60%)
- Attitude toward punishment of DWI violators (27%)
- Attitude toward deterrent value of enforcement (61%)
- Extent and nature of DWI training
- Attitude toward specialized DWI enforcement (59%)
- Experience in traffic accident investigation (75%)
- Officer's self-confidence

B. Driver-Related Factors
- Attitude of the driver (55%)
- Political or social status of the driver (27%)
- The suspect's age
- The suspect's sex (19%)
- The nature of the suspect's drinking problem (34%)
- Presence of a sober licensed driver in the car (45%)
- The nearness of the driver's residence (38%)
- The suspect's "story" or rationale for intoxication

C. Operational Factors
- The nature of the suspect's driving (78%)
- The degree of intoxication (65%)
- The time required to process DWI arrests (26%)
- The nature of DWI processing procedures (32%)
- The fact the officer has made a prior DWI arrest during the duty shift (17%)
- The time remaining in the officer's duty shift (33%)
- The frequency of court appearances (21%)
- The effect of unusual working hours
- The use of one- or two-man patrol cars
- The area to which the officer is assigned
- The patrol techniques used by the officer
- The voluntary nature of assignment to specialized patrol
- Competition between officers
- The relationship of the officer to special program administrators
- The nature of available equipment and facilities
- The nature of community social conditions

D. Departmental Factors
- The level of officer morale (55%)
- The attitude of other officers (18%)
- The existence of performance standards
- The policy of the officer's supervisor
- The policy of the department
- The nature of the police agency
- The quality of the officer's supervisor
- The feeling of isolation from the remainder of the department

E. Outside Influences
- Court support for DWI enforcement (37%)
- The officer's faith in court justice (21%)
- The support of the local prosecutor (30%)
- Community attitudes and support (29%)
- The legality of specialized programs
- The weather conditions

following summaries of recommended actions are grouped as they are to show emphasis rather than absolute categorization:

- Policy

  To the patrolman there is a poor enunciation of the department's position concerning alcohol-related enforcement. The ASAP programs each have specific, defined objectives. However, even in departments having an ASAP program, a lack of an alcohol-related policy was noted. Essentially, the need is for a policy that is formalized and unambiguously stated. In particular, two deficiencies were cited: the lack of a priority for alcohol-related enforcement, and the lack of specific parameters for evaluation of the patrolman's enforcement performance. The officers generally expressed a desire for a forthright statement of policy, eliminating the need as well as the opportunity for interpretation by supervisory personnel.

- Operations

  Within the operation of alcohol-related enforcement programs, there are several factors that influence, to a greater or lesser degree, the patrolman's decision to make an alcohol-related arrest. Some of the factors identified in the policy area relate quite directly to this "operations" area as well. For example, the officer's concern for performance standards and need for clear communication from management and supervisory personnel directly affect actions that can be taken in alcohol-related enforcement. In this area there is concern about time-consuming processing procedures and courtroom appearances. In addition, the latter are often viewed as exercises in futility because of the possibility for reduced charges and sentencing for the alcohol-related violation; also, court procedures frequently are such as to require several appearances because of delays and continuances. Specialized assignments to alcohol-related enforcement appear to be a positive factor and duty-hours, whatever the assignment, can be arranged to help maximize enforcement. Overall, the actions to be taken in this area are ones that will reflect the department's priority for alcohol-related enforcement and communicate to the patrolman the importance of effective enforcement.

- Training

  The results of the studies indicate a widespread need for training in alcohol-related enforcement as well as in the basics of alcohol, intoxication and the nature and scope of the alcohol-related offense problem. The need for training in varying degrees extends throughout the whole police structure. There was identified a need for training at the command and supervisory levels, as well as at the patrolman level. There is a need for training patrolmen in overall knowledge of alcohol-related traffic violations, as well as in knowledge of special techniques of detection and investigation. Specialized training in the operation of breath-testing devices is a positive factor. The obvious recommendation to command and supervisory personnel is to provide such training. In addition, command and supervisory personnel have a responsibility for training at their own levels with regard to the scope and nature of the alcohol-related enforcement problem.

- Communication

The title "communication" is used here in a very broad sense to denote the transmission of ideas or information. Several communication needs were identified in the studies: intra-department communication of policy and expected performance, communication between the police and the legal-judicial components of the "alcohol enforcement and adjudication system" and communication between police and the public (especially the segments of the public particularly involved in alcohol and safety, such as tavern owners, drinkers who drive, etc.). In general, the police officers indicated that their own lack of information (about policy and performance evaluation, for example), as well as their feeling that their own objectives were not fully understood by others, constitute a negative influence on the DWI arrest.

The organization of the study results and recommendations into the four major command and supervisory areas is also used to arrange the objectives and content of the Workshop which are presented in Section II.

II. WORKSHOP OBJECTIVES

The objectives of this workshop are to present the factors and the recommended actions from the research studies and to help the participants evaluate these results for use in their own communities and departments. The case study allows for some practice in the application of the recommended management actions.

Because the studies identified a wide range of attitudes and factors, the recommended actions relate to virtually every command and supervisory function performed in a police organization. Complete training for such a wide range of command and supervisory actions obviously is not possible in a three-day workshop. Therefore, while the training objectives presented below reflect a great variety of knowledge and skills, it must be recognized that the objective is to attain the identified knowledge or skill to a level that might best be described as "an awareness of" or "familiarity with." For each objective of this workshop, there is a corollary which is to obtain further training and practice.

In each of the next four paragraphs, there is a summary statement of the objectives in each management area, followed by an enumeration of the specific knowledge and skills that must be imparted to carry out the objectives of that area.

1. Policy

What is of concern here is the role of police command and supervisory personnel in the development and implementation of departmental policy. Obviously, the policy of a given department is not the sole prerogative of police management. Policy is developed and imposed by the governing political body, but police management does have a strong, direct influence on policy development. More directly, police management affects policy by the way in which it is implemented and reflected in the operation of the department. Typically, policy statements offer a wide latitude to the administrators and supervisors in carrying out the intent. Management's perception of policy, including the relative importance of alcohol-related offenses, is reflected in the way in which a department is organized and staffed, as well as the way in which day-to-day operations are conducted.

The study results indicate that either there is often no policy concerning alcohol-related offenses or that, if it does exist, it is reflected and implemented in a way that, at best, gives the officers little or no guidance as to the importance of alcohol-related enforcement and, at worst, may encourage them to conclude that alcohol-related enforcement is of relatively low priority. A formal, explicit policy is a critical necessity for effective alcohol-related enforcement, and the department's commitment to this policy must be reflected in the implementation by administrators and supervisors.

The specific objectives of this workshop that evolve from these policy-related requirements are intended to identify and help develop the following knowledges and skills.

a. Knowledge of adequate and effective alcohol-related policy, both general (theoretical) and department-specific.

b. The ability to formulate an adequate and effective policy concerning alcohol-related offenses specific to one's own department.

c. Knowledge of techniques of effective implementation and communication of policy.

d. Knowledge of alcohol-related management information systems.

e. The ability to use such systems to evaluate and adapt policy.

2. Operations

This broad area of management responsibility encompasses the day-to-day operation of the department and is for alcohol-related offenses particularly concerned with enforcement procedures, and planning and management information systems.

The study results indicate that first and foremost the operation of the department must reflect the priority which it assigns to alcohol-related offenses. The operation of the department must also facilitate alcohol-related enforcement, specifically with regard to the processing procedures (and time required) for DWI arrests. The use of specialized assignments and the establishment of duty hours should also reflect an awareness of the influences affecting alcohol-related arrests, as well as the department's concern for this enforcement.

The specific objectives in this area are concerned with producing the knowledges and skills listed below.

a. Knowledge of effective alcohol-related enforcement plans and procedures.

b. Ability to design operational plans to enhance alcohol-related enforcement, including specialized assignment and duty hours as well as specific procedures and performance standards.

c. Ability to communicate operational plans and procedures effectively.

d. Knowledge of alcohol-related management information systems.

e. Ability to develop and use alcohol-related management information systems for operations control and evaluation.

3. Training

This area includes responsibility for training at all levels within the department and training in all aspects, including technical, administrative and background. This responsibility includes command and supervisory training as well as training of line personnel.

The fact that the patrolman does have the opportunity to exercise discretion in an alcohol-related arrest and the further fact that some of the factors that influence his discretion have not been readily apparent lead to the basic requirement for training. That requirement is for police personnel at all levels to be aware of the factors influencing alcohol-related arrests and, further, to be aware of the consequences of these influences on their job whether at the patrolman or higher level. In addition, the results indicate a need for specific training with regard to alcohol and intoxication, the impact of alcohol-related offenses on highway safety, and of special techniques for alcohol-related detection and investigation, including the operation of breath-testing devices. In general, the study results indicate a direct, positive relationship between the amount of specialized alcohol-related training and the level of alcohol-related enforcement.

Specific workshop objectives in this area are concerned with the knowledges and skills listed below:

a. Knowledge of the nature and effect of excessive drinking.

b. Knowledge of the importance of alcohol-related offenses, both generally (national highway safety) and within one's own department or jurisdiction.

c. Knowledge of police role in alcohol-related enforcement.

d. Knowledge of the factors that influence a patrolman's alcohol-related arrest decision.

e. Knowledge of the effects of these factors on each level in the department (officer, supervisory, command).

f. Knowledge of specific programs or actions that will reinforce or will counteract these factors to enhance alcohol-related enforcement.

g. Knowledge of specific alcohol-related training needs.

h. The ability to provide effective training with regard to the factors, effects and remedial programs.

i. The ability to evaluate training effectiveness with regard to alcohol-related enforcement.

4. Communication

The management responsibility that is of concern here includes communication within the department as well as interaction between the department and other community organizations, including the general public. Of special interest to alcohol-related offenses is the interaction between the police department and the judicial organization.

Communication is an extremely broad term that denotes a process applied to many activities. The study results indicate that the process of communication can result in incomplete information, and thus poor understanding, and in some cases the process can actually affect the content of the information. An example of the former is the apparent lack of understanding or appreciation of court disposition of alcohol-related cases. The latter problem is illustrated by the apparent effect of supervisors' attitudes on policy statements.

The studies indicate that the officers' decision about an alcohol-related arrest is strongly affected by the disposition that is typically made of alcohol-related arrests. Specifically, it was reported that there is a generally negative effect on the arrest decision as a consequence of the fact that such arrests often result in negotiations, such that as many as 25% of the arrested suspects are not convicted on the alcohol-related charge. Also indicated in the results, with regard to community relations, is the need for police officials to be able to obtain public support for alcohol-related enforcement and to assure that there is equitable enforcement for all citizens. Police administrators and supervisors, therefore, are required to interact with these segments of the total community in a way that gives the police officer apparent support for his enforcement activities and, in a way, develops a community support of alcohol-related enforcement based on the significance of alcohol-related offenses, as well as a concept of reasonable and equal adjudication.

The objectives for this workshop that arise from this area relate to the knowledges and skills listed below:

a. Knowledge of effective supervisory communication techniques.

b. Knowledge of communication techniques appropriate to the several segments of the community.

c. The ability to identify communication needs and problems.

d. The ability to establish and maintain effective channels of communication to all segments of the community concerning the effect of alcohol-related offenses and the need for effective enforcement and adjudication.

III. WORKSHOP ORGANIZATION AND SCHEDULE

A. Concept

The factors affecting the arrest decision impinge to some extent on virtually all command and supervisory activities. Since this workshop is intended to provide some training in the recommended actions, as well as simply to present the research results, there is a large body of information that qualifies as workshop content. However, since the audience to which this workshop is addressed consists of command and supervisory personnel, it is recognized that only a limited amount of time can be exclusively dedicated to training. In resolving these conflicting facts, the workshop has evolved as an intensive, compact training session to be conducted in three days. In that period of time, 19 hours are devoted to lecture-discussion and problem-solving sessions. In addition, two evenings can be devoted to controlled drinking demonstrations in which the participants will take part.

All of the units are designed around a very active participation by the participants. The reason for this is twofold: such participation facilitates the learning of the factual material while it also provides the means for the attendees to evaluate the material in the light of their own experience and relate it to their own community and environment. Of the 19 hours scheduled for this workshop, only five are devoted to lecture or "presentation" sessions. The remaining sessions all have explicit provision for attendee participation.

The controlled drinking demonstration scheduled for the evenings is a critical part of the workshop. One important finding of the research studies was that both patrolmen and their supervisors are poorly or incompletely informed about alcohol and intoxication and, in particular, about the amount of alcohol that must be consumed to achieve statutory limits of blood alcohol concentration. A controlled drinking demonstration has been proven to be a dramatic, effective means of imparting this knowledge, and is widely used in training programs designed for patrolmen and breath-examiner technicians, as well as in training packages for traffic-court judges and prosecuting attorneys. The controlled drinking demonstration is also used in a training package designed for delivery to administrators of highway safety programs. The value of these sessions is that they provide (for both the drinking participant as well as the observer) a visible, tangible display of the amount of alcohol consumed and the ability of the drinker to perform at various levels of blood-alcohol concentration. However, these demonstrations must be very carefully designed and controlled to insure that the training and demonstration objectives are not obscured.

Even though the value of these demonstrations is extremely high, there can be situations in which it will be either impractical or impossible to conduct an actual drinking session. For those possibilities, this outline describes activities to be used in lieu of a demonstration.

Anyone involved in this workshop as administrator, instructor or student is urged to remember that this is a training program for management action; it is not training about alcohol-related offenses simply for information. It is training that will lead to appropriate action by command and supervisory personnel to insure maximum alcohol-related enforcement. The consequence of this is that involvement and participation are critical. Each attendee is expected to relate the content of this workshop to his own situation and, within the time available, to apply himself seriously to realistic case-study problems.

A final comment on the concept of this workshop is that it is designed for leadership by a thoroughly qualified, competent instructor. The workshop, properly conducted, will focus on this person for direction, as well as for information. In this kind of training situation, the impact of the instructor is tremendous. One whose knowledge is shallow or uncertain will transmit these deficiencies to the attendees. Simply, there is not enough time to seek out other sources of information during the workshop. In his role of discussion leader, the instructor must be able to help each attendee use the information in relation to his own experience, and this requires a special background.

Appendix B enumerates the specific qualities expected of an instructor. At this point it is sufficient to note that he must be thoroughly knowledgeable in the areas of alcohol-intoxication, blood-alcohol definition and measurement, alcohol-related offenses and adjudication. While it may be possible in some circumstances to have the services of an expert available for certain parts of the workshop, it is strongly urged that the workshop leader have the desired background and not be forced to rely on other instructors. Appendix B also describes the assumed qualifications of attendees.

B. Workshop Organization and Schedule

The following schedule of the workshop shows the sequence, the allocation of time and, very briefly, the content of the units. The schedule and the allocation of time are important considerations. The units have been scheduled to provide a logical relationship and progression from one to the other. The allocation of time has been carefully analyzed to provide an adequate amount of time for each topic and yet allow for completion in the overall period. In order to preserve the integrity of the workshop and insure complete presentation, it is strongly urged that the schedule as presented here be followed. Any division of the workshop into smaller units that might be more desirable from a logistics point of view will only detract from the training effectiveness of the workshop.

WORKSHOP ON FACTORS INFLUENCING DWI ARRESTS

Day One

0900-0930 Unit 1. Workshop Introduction

The purpose of this unit is to introduce the attendees to the workshop leader and each other, and to describe the techniques that will be used during the workshop. Any administrative matters should be accomplished in this time period.

0930-1030 Unit 2. Exercise to Identify Factors in Simulated Alcohol-related Violations

Using scenarios of hypothetical, but realistic, alcohol-related traffic offenses, the participants are asked to state whether or not an arrest would be made in each scenario and to identify the factors that led them to their conclusion. This unit serves to introduce the research results by leading the participants to think and talk about factors that could influence a patrolman's decision.

1030-1045 Unit 3. Research Studies of Factors--Background

This unit describes how patrolmen were surveyed to identify factors that influence their arrest decisions. This unit includes a brief summary of the approach used in each of the two basic studies, and a brief description of the survey activities.

1045-1200 Unit 4. Factors Associated with Officers' Attributes and Attitude

This unit summarizes factors, such as the officers' age, length of service, and drinking habits, as they relate to the arrest decision in an alcohol-related traffic offense.

1200-1300 Lunch

1300-1400 Unit 5. Factors Associated with the Local Environment and the Specific Incident

This unit presents those factors that are found in the local environment of the patrolman, such as department policy, court procedure and arrest processing time, as well as those factors that are found in the incident, itself, such as the age or sex of the driver, the weather conditions, and the time of day.

1400-1500 Unit 6. Recommendations for Command or Supervisory Actions

This unit summarizes the recommendations that were developed in the research studies for specific actions to be taken by command and supervisory personnel. The actions concern the major management areas of policy, operations, training and communication. This unit provides an overview of the set of recommendations, each of which is treated in more detail in subsequent units.

1500-1600 Unit 7. Alcohol-related Offenses and Enforcement

This unit includes a brief presentation and a directed discussion about the significance of alcohol-related offenses, the total process of enforcement (with particular emphasis on the role of police in enforcement) and information about legal limits of intoxication. Local applications or local considerations can be incorporated here and emphasized.

1600-2200 Unit 8. Controlled Drinking Demonstration

In this unit, volunteers from among the participants drink controlled amounts of alcohol and are then given BAC analyses and are asked to perform some psychomotor tests. Drinking and testing continue under controlled conditions until at least some of the volunteers have reached or exceeded a legal limit. During the early part of this evening session, there will be a presentation and discussion of the nature and effects of alcohol. Alternative activities are described for the possibility that a demonstration could not be performed. (If necessary, half of the group can take part in this session, and half in a second session the next evening.)

1630-1800 Unit 9. Nature and Effect of Alcohol Intoxication

This unit includes information about the chemistry of alcohol, the physiology of intoxication, the relationship between BAC and performance, as well as a description of the symptoms of inebriation. This unit is a brief presentation of all these topics but emphasizes those which the studies of factors influencing alcohol-related arrests have shown to be important. (This unit is presented during the Drinking Demonstration - Unit 8.)

WORKSHOP ON FACTORS INFLUENCING DWI ARRESTS

(continued)

Day Two

0900-1000 Unit 10. Review of Controlled Drinking Demonstration

This unit is a relatively unstructured discussion of the previous evening's demonstration. If videotapes have been made, they will be shown at this time, and any test scores including handwriting samples collected in the demonstration will be examined. The objective of the review is to reinforce the demonstration of performance changes and associated BAC level.

If a controlled drinking demonstration has not been scheduled, this unit can be devoted to a film or to a discussion of the previous day's activities.

1000-1100 Unit 11. Policy-related Factors and Recommendations

This unit begins with a summary of the factors and related recommendations from the research studies in the area of departmental policy. It is followed by a discussion in which each of the participants relates the traffic material to his own experience and his department policies and practices.

1100-1200 Unit 12. Case Study--Introduction and Policy-related Activity

This unit is the first of four devoted to group problem-solving, based on a fictional but realistic case study. In each of four units, information about the fictional study is presented, beginning with a sequence of events that led to a demand for a more effective alcohol-related program. In each unit the participants are asked to identify factors in the narrative and to develop, in as much detail as possible within the time allowed, appropriate command and supervisory actions based on the results of the study in the topic area, as well as on their own experience. In this unit the participants are expected to develop some ideas about appropriate departmental policy.

1200-1300 Lunch

1300-1400 Unit 12. (continued)

1400-1500 Unit 13. Operations-related Factors and Recommendations

This unit summarizes the operations-related factors and recommendations and provides for discussion. It is in the same format as Unit 11.

1500-1630 Unit 14. Case Study (continued)--Operations-related Activity

This unit is the second of the case-study units. The participants will develop their ideas about policy implementation as expressed in an operations plan.

1630-2200 Unit 15. Second Controlled Drinking Demonstration

If needed, the demonstration can be repeated. Unit 8 is followed except that the nature and effects of intoxication need not be repeated. A film can be shown or the time made available for open discussion.

WORKSHOP ON FACTORS INFLUENCING DWI ARRESTS

(continued)

Day Three

0900-1000	Unit 16.	Review of Second Controlled Drinking Demonstration Unit 10 is repeated here if a second drinking session was scheduled for the previous night. If this is not needed, all of the following units are presented one hour earlier than indicated.
1000-1100	Unit 17.	Training-related Factors and Recommendations This unit summarizes the training-related factors and recommendations and provides for discussion. It is in the same format as Unit 11.
1100-1200	Unit 18	Case Study (continued)--Training-related Factors This unit is the third of the case-study units. The participants will identify training needs from the case-study narrative.
1200-1300	Lunch	
1300-1400	Unit 19.	Communication-related Factors and Recommendations This unit summarizes the communication-related factors and recommendations and provides for discussion. It is in the same format as Unit 11.
1400-1500	Unit 20.	Case Study (continued--Communication-related Activity This unit is the fourth and final case-study unit. The participants will identify communication needs from the case-study narrative.
1500-1600		Workshop Summary In this unit the salient points of the 3-day session are summarized by the workshop leader. The format and depth of this summary are left to the discretion of each leader. Following the summary, if it is desired, a brief time can be devoted to obtaining participant reaction or critique of the workshop.

IV. INSTRUCTIONAL STRATEGY

The following, brief presentation of the instructional strategy employed in the workshop is intended only to identify and underline the appropriate techniques. It is assumed that the leader is a qualified instructor. Therefore, he will understand and be able to apply in detail the strategies that are only mentioned here.

A. General

Overall, the workshop reflects the four steps that have become a paradigm of training: preparation, presentation, application and evaluation. The workshop begins with a unit (Number 2) designed to lead the participants to think about factors that affect a DWI arrest decision and asks them to identify factors in simulated situations. This prepares the participant for learning. A block of units (Numbers 3-6) next presents the results and recommendations of the underlying research studies. This is the presentation of information. Units 11 through 20 focus on the application of the information to each participant's own situation by means of discussion and case study. Finally, by reviewing and discussing the case study solutions, the participant can evaluate his own achievement.

Within each unit the same model is applied. Each begins with a resume of the topic that helps prepare the participant to direct his thinking to the appropriate areas and also presents information. The units then allow for discussion and case-study work to apply the knowledge and discussion to evaluate.

B. Leader's Role in Presentation

In this workshop the leader will follow the basic good practices of classroom presentation. These need not be repeated here. It is sufficient to note that the workshop is intensive. Much material will be covered in a short time. Thus, the leader must know the material thoroughly and be prepared to make efficient presentations. The leader must be prepared to make brief and effective presentations yet pace himself to the participants' needs and concentrate or de-emphasize topics accordingly.

The leader should attempt to keep in mind that this workshop is action-oriented. The basic purpose is to cultivate command and supervisory actions that will lead to more effective alcohol-related enforcement. In the presentation of information it is possible for the leader to emphasize the factors at the expense of the recommendations. This is a natural and easy thing to do. The motivational and psychological implications in both studies are fascinating and could easily dominate any workshop session. It is the leader's responsibility to keep the focus of the workshop on the actions and to consider the factors only in enough detail to make them credible. In essence, the results are the factual basis for the recommended actions which, it is intended, will become integrated into the participant's behavior.

C. The Leader's Role in Discussion

Much of what has been said in the preceding section is applicable here. For the discussion and case-study units, the leader must be well prepared; he must keep the focus on the objectives of each unit and he must emphasize the actions or behavior to be learned. There are, in addition, some procedural items that merit special emphasis.

- If at any time during discussion the leader is aware of a lack of understanding, he must be prepared to make a brief presentation to elucidate the topic.
- It is extremely important for each participant to take part in order to better learn the material and relate it to his own needs. The leader is responsible to see that all participate and that no one (including the leader) dominates the session.
- The leader should be prepared for the above contingencies by developing questions that he might use and having the relevant unit outline at hand for his own guidance.

D. Leader's Role in Controlled Drinking Demonstration

Unit 8 is a unique training situation. The leader is expected to direct and control a demonstration of drinking, the measurement of blood alcohol concentration and the performance of psychomotor tests. In addition, during the early part of this unit the leader is required to make a presentation and lead a discussion on the nature and effect of alcohol intoxication.

Without question, this unit makes extreme demands on the leader. He must be responsible for the health and safety of the volunteer drinkers while at the same time controlling the demonstration to achieve useful results. Meanwhile, he is expected to function as an instructor. As with the other units of the workshop, the basic requirement is that the leader be prepared. He must know the topic for presentation and discussion thoroughly so that he can be effective in spite of distractions and competing demands for his attention. Throughout the evening he will be required to divide his attention. He must know the material (of the discussion topic and of the demonstration) in order to perform effectively.

It is quite possible that during the demonstration the leader's tact and diplomacy will be severely tested. He may also find it difficult to control the discussion to keep it focussed on the subject. There is very little that can be said about preparation for this except to forewarn the leader of these difficulties. The leader will have assistants during the demonstration and should plan carefully with them to maintain control.

The demonstration is generally acknowledged to be an important and effective part of alcohol training. Therefore, there is included in Appendix C an excerpt from the Planning Guide for this Workshop. The excerpt highlights the advantages of the demonstration and summarizes the significant planning considerations. This information is included as additional background for the leader. Specific directions for his part in the demonstration are contained in the outline for Unit 8 (Section VI, below).

V. CONDUCTING THE WORKSHOP

A. General

The information contained in this section is presented with full recognition that the leader selected for this workshop is a fully qualified instructor. Therefore, the intent of this section is essentially the same as the intent of the previous section on instructional strategy. The information presented here is intended to emphasize the more important aspects of conducting the workshop. It is assumed that the leader is fully qualified to act upon the emphasis that is given here.

B. Presentation

It is stressed throughout this document that the key to a successful workshop is in the preparation of the workshop leader. The leader planning to present this workshop is reminded here, again, that for the duration of the workshop he represents virtually the sole source of information available to the participants. The design of the workshop does not readily admit of the use of outside experts, and the very compact schedule virtually precludes outside reading or "homework" assignments.

The basic preparation expected of the leader is that he become thoroughly familiar with the research on which this workshop is based. To that end, this document contains summaries of the two studies and, further, it is possible for the leader to obtain the full technical reports and read them for a more complete background. In addition, the leader is urged to become familiar with the background of each participant in terms particularly of his responsibility for alcohol-related enforcement. In this way, the discussion and case-study units can be made more directly relevant to each participant's needs.

Actual presentation of the workshop can be said to begin with the leader's adaptation of the unit outlines to the needs of the participants, as well as to his own instructional style. It was noted in the introduction to this document that the leader would annotate and modify the unit outlines to the point where they would become a unique, personal guide to the conduct of the workshop. Since the leader will have had extensive instructional experience, the development and enrichment of unit outlines need not be described here. It is sufficient that the leader be urged to make the fullest use of the format, as well as the content of the unit outlines. Each outline includes a list of objectives as well as the outline, itself. The format also provides for a time line by which the leader can pace his presentation, and in several locations there are suggested activities and aids that the leader may find useful in a given unit. While these outlines are essentially the starting point for the leader's fuller development of each unit, they also serve as a checklist for coverage as well as timing.

C. References

Basically, the references for this workshop are the technical reports of the two research studies. However, to be fully effective, the Workshop Leader must also be knowledgeable of the specialized areas--alcohol and intoxication, special enforcement, training, etc.--that are mentioned in those reports. There is a bibliography of selected references included in this document (page 183). These were selected because they are relevant, readily available and, taken together, encompass the areas of interest. The leader is urged to become familiar with this literature. For some units, the outline includes specific references that are judged to be especially valuable. The leader should obtain and read at least these references.

D. The Case Study*

Four units are devoted to a case study in which the participants have the opportunity to apply the information they have learned in the workshop. The outlines for these units each contain a list of characteristics that should be included in the participants' solution. It is suggested to the leader, however, that in the case study he emphasize the participants' understanding of the relationship between the workshop content and the situation described in the case study. This identification of appropriate actions and the understanding of the relationship between the research results and the described situation are more important than the development of a "correct" solution.

The best preparation the leader can have for the case study units is practice. There is, perhaps, only one principle to be highlighted. The leader should be prepared to discuss any related topic during the case study but should avoid dictating a particular approach or solution. The true value of the case study lies in the participant's own development of insight and his application of the information that has been presented and discussed.

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*There are some variations on the case study as a teaching technique that some instructors may wish to apply in this training. A good source of information about small-group instruction is a report available from Clearinghouse for Federal Scientific and Technical Information, Springfield, VA 22151: Olmstead, J.A. Theory and State of the Art of Small-Group Methods of Instruction, Office Chief of R&D, Dept. of the Army, Contract DAHC 19-70-C-0012, Human Resources Research Organization, Alexandria, VA, No. AD 703 773.

E. Other Considerations

Two factors that might at first appear trivial have been shown to have a substantial effect on the success of the workshop. These are the meeting room (and its facilities) and the attitude developed by the leader in his own introduction to the introduction of the participants.

The room should be comfortable, not a typical classroom with rows of seats. A conference-room arrangement is much more appropriate. Seating should be in a circular or U arrangement to encourage interaction and help develop the feeling of an integrated group. There should be provision for visual aids as required by the instructor, but in arranging the room, the emphasis should be on encouraging interaction of the participants even at the expense of viewing slides or a chalkboard.

The attitude developed by the leader is very important and it appears to be fairly well established during the first unit when introductions are made. The leader should use any strategy (or "gimmick") that will help the participants come to know each other and be comfortable in open discussion. Any reserve or feeling of formality greatly reduces the likelihood of an easy exchange of ideas and of open comments, both of which are essential to achieving the objectives of this workshop. Whatever ploy he uses, the leader should help the participants to know each other and help foster an informal and comfortable attitude.

VI. UNIT OUTLINES

A. Introduction

Each unit outline consists of two major parts: 1) a statement of objectives and summary, which includes a list of references, and 2) the outline, itself, which includes a content outline with comments, a time reference and provision for the instructor's own annotation. The first part (which is usually only one or a few pages) is primarily for orientation. The instructional objectives are especially important. These objectives help the leader to define his approach to a given unit and also serve as criteria which help the leader assess the success of each unit. The objectives can be used, in effect, as test questions.

The outline, itself, includes a listing of the topics to be presented as well as some comments about the topics that are intended to aid the leader's understanding. There are several pages in each unit and on the left of each page is a time line that indicates the amount of time to be spent on each topic or activity and the total elapsed time. The center of the page contains the topic outline as well as a description of suggested activities. At the right side of the page is space reserved for the leader's notes and in which are noted locations for visual aids. It is likely that additional pages will be needed for notes, and it is suggested that the leader assemble these notes on pages interleaved with the printed outline.

The unit outline is a tool for the leader to use in making the best possible presentation. It is intended to help identify the relevant material for each unit and to suggest a sequence of activities based on the inherent relationships in that material. The leader preparing to present this workshop should keep in mind that the outlines are a tool for him to use. He should not adopt the suggestions in the outlines unless he is convinced that they suit his own teaching style. Also, he should satisfy himself that the content and relationships do conform to the experience of the community (or area) from which the participants will be drawn. The material presented in this workshop is based on sound research, but not all factors occur in all jurisdictions to the same extent. For example, "plea bargaining" is a factor only if it occurs in a given jurisdiction. The leader in an area in which only very limited plea bargaining occurs must give the proper emphasis to those factors--if he mentions them at all.

Allotted
Time
0:30

Unit 1. Workshop Introduction

This unit is a presentation of the objectives of the workshop and of the methods by which it is presented. Within the half hour allowed for this unit, it should also be possible to present a statement about sponsorship, as well as any administrative matters specific to a given session. Also, during this unit the leader should introduce himself and introduce the participants (or ask them to introduce themselves).

The instructional objectives of this unit are:

- To provide an understanding of the background and purpose of this workshop.
- To provide an overview and understanding of the workshop objectives.
- To provide an understanding of the administration and conduct of the workshop, especially the amount and extent of participation expected of the participants.

References and Special Material

None except special local materials, such as maps.

UNIT 1. WORKSHOP INTRODUCTION

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	SPONSORSHIP AND ADMINISTRATIVE MATTERS	
	1. Identify Workshop	
	2. Identify presenting agency	
	3. Meeting times and locations	
	4. Meal arrangements	
	- Note special arrangement for drinking demonstration	
	5. Housing arrangements and maps if needed	
	6. Breaks	
	7. Messages	
(0:05) 0:10	WORKSHOP OBJECTIVES	
	1. Describe the purpose of the workshop as being to achieve a better level of alcohol-related enforcement by means of appropriate command and supervisory actions that have been identified in the studies of factors influencing the alcohol-related arrest decision.	
	2. Specific objectives are:	A slide "headlining" these major objectives can be used effectively.
	a. To provide knowledge of the factors that influence the arrest decision.	

UNIT 1. WORKSHOP INTRODUCTION

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. To identify appropriate command/supervisory actions based on knowledge of those factors.	
	c. To provide knowledge of alcohol and intoxication relative to alcohol-related offenses and enforcement.	
	d. To provide some practice in application of the knowledge presented during the workshop.	
	3. If there is sufficient time, the leader can describe the objectives in somewhat greater detail, using the description of objectives in Section II, pp. 9-13, of this document.	
(0:15) 0:05	PROCEDURES	
	1. Describe how the various units will be presented and what is expected of the participants.	
	2. Emphasize the approach to each of the following including the material from the pages of this document as noted. However, the approach will be the leader's unique, personal development.	

UNIT 1. WORKSHOP INTRODUCTION

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	a. Presentation b. Case Study c. Controlled Drinking Demonstration	
(0:20) 0:10	INTRODUCTION The leader should briefly introduce himself, citing some relevant parts of his background. Then he should introduce the participants or ask them to do it themselves. While this is listed last in this unit, the leader should do it whenever it seems natural for the given situation. Introductions will help to "break the ice" but the leader should not let the process go on beyond the allotted time.	
(0:30)		

Allotted
Time
1:00

Unit 2. Exercise to Identify Factors in Simulated Alcohol-Related Violations

This unit is an exercise requiring direct participation with written responses and a group discussion period. The objectives are:

- To provide an understanding of the concept that a police officer's decision to make an alcohol-related arrest may be affected by his attitude or or influences that may not be directly related to the actual offense.
- To provide an opportunity for analysis and identification of such factors.
- To provide a means for relating factors in simulated cases to the attendees' own experience or observations.
- To provide an understanding of the concepts and approaches used in the research studies.

References and Special Material

1. Appendix A of this document which describes the factors identified in the research studies.
2. The Participants' Manual contains the scenarios, response sheets and instructions. No other material is needed.

UNIT 2. EXERCISE TO IDENTIFY FACTORS IN SIMULDATED ALCOHOL-RELATED VIOLATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	PROCEDURE	
	1. Describe unit activities:	
	a. Review background.	
	b. Introduce scenarios.	
	c. Read Scenario 1.	
	d. Record predicted outcome and reasons.	
	e. Discuss responses.	
	f. Repeat for 2 and 3.	
	2. Be sure each participant has materials in manuals.	Scenarios are in Appendix B of Participants' Manual.
(0:05) 0:05	BACKGROUND	
	1. Arrest decision is mainly determined by facts but can be affected by other non-evidential influences. (Use Appendix A for a brief summary.)	Use local statistics if available; Appendix A.
	2. Ask participants if in their experience alcohol-related arrests were influenced by other than factual evidence.	
	3. Introduce scenarios to participants.	
	a. Objective is to identify the non-evidential "factors" that may have influenced the police officer's decision.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. Police officer's action may be: . To arrest the driver for DWI. . To arrest the driver (or issue a citation) for another violation. . To release the driver without charge. c. Data pertaining to the actual degree of intoxication of drivers in each scenario is limited in order to emphasize some of the other factors that may influence the officer's decision. d. Participants may perceive factors differently dependent upon the nature of the communities in which they work. 4. Let participants begin exercise. Apply their experience and observations to the described situations.	
(0:10) 0:15	FACTOR IDENTIFICATION 1. The scenarios and the response sheets used in this exercise are reproduced on the pages immediately following this outline.	

UNIT 2. EXERCISE TO IDENTIFY FACTORS IN SIMULATED ALCOHOL-RELATED VIOLATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	2. As the participants read and record their responses, the leader should be available for comments or questions; but he should not offer comments or help.	
(0:25) 0:30	DISCUSSION	
	1. In preparation for leading this discussion, the leader should have read each scenario and responded to it himself. Then he should compare his answers to the results of the research studies.	
	2. The participants are requested to volunteer their predictions as to what action the police officer might take and to identify the factors that may have been of influence. The leader must involve all participants by suggesting questions and comments. He should use directed questions and comments, if necessary, to obtain a participant's contribution.	
	3. There are no "right" answers. The leader should make it clear that anyone's prediction could be the way the incident ends. The factors and how they affect the outcome will be	

UNIT 2. EXERCISE TO IDENTIFY FACTORS IN SIMULATED ALCOHOL-RELATED VIOLATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	related to each prediction in a way that reflects the individual's experience and past observations.	
	4. However, there is a statistically valid body of knowledge about how many police officers are affected by the factors. That knowledge is in the results of the research studies.	
	5. Using the summaries from Appendix A in this document, the leader should briefly present his analysis of the three scenarios. There should be time for some discussion of differences of opinion and of what command and supervisory actions could be taken to counteract or support the factors.	The scenarios contain some material that might be factors but were not found in the studies, e.g.: . religion . age of car . condition of car Use these as discussion topics--are they factors locally?
	6. Other classes have identified some of the "influencing factors" as follows: a. Scenario #1 . the officer's age . the officer is a very light drinker . the officer has years of police experience	

UNIT 2. EXERCISE TO IDENTIFY FACTORS IN SIMULATED ALCOHOL-RELATED VIOLATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the officer has traffic enforcement experience	
	. it is near the end of the officer's shift	
	. the driver has a positive attitude and is cooperative	
	. the driver is in the same age group as the officer	
	. the driver's family is in the car	
	. the driver is close to home	
	b. Scenario #2	
	. the fact the officer is a State Highway Patrolman	
	. the officer's self confidence	
	. the officer's training	
	. the high morale of the officer	
	. the race of the suspect	
	. the driver's uncooperative or "curt" attitude	
	. the "all black" nature of the area	
	c. Scenario #3	
	. the shortage of police manpower	
	. the absence of departmental policy	

UNIT 2. EXERCISE TO IDENTIFY FACTORS IN SIMULATED ALCOHOL-RELATED VIOLATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the supervisor's policy concerning DWI priority . the fact that a two-man patrol car is involved . the driver is alone . the driver is close to home	
(0:55) 0:05	SUMMARY 1. The leader should summarize in terms of the following: a. There are factors that influence a patrolman's decision about an alcohol-related arrest. These are generally: . the officer's personal background . the officer's attitude . some characteristics of the specific incident . some characteristics of the local environment b. There are specific, effective command and supervisory actions that can be taken to capitalize on these factors in a way that enhances alcohol-related enforcement.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:60)	c. The workshop will enable the participant to identify the impact of specific factors and help each to define the most appropriate actions for improved DWI enforcement in his agency. 2. If time permits, the leader should ask questions to help him assess how well the participants are assimilating the material.	

Scenario 1 for Unit 2 Exercise

Officer Bill Brown is on motorized patrol in a community similar to yours. Yesterday he celebrated his 45th birthday by having a couple of beers with a few fellow officers after going off duty. This is unusual for Bill who is a very light drinker. Bill, a long-time traffic officer, has been on the department long enough to be anticipating retirement. He has never married and devotes much of his spare time to volunteer work for the Presbyterian Church of which he is a member; he claims his active church life is a natural consequence of his Scotch ancestry and upbringing.

At about 2330--just half an hour before his shift is to end--Officer Brown observes a new model Cadillac make an abrupt stop at a traffic signal that had been red for some time. When the light turns green, the driver reacts slowly and after a jack-rabbit start drives at a much slower-than-average speed, well to the right of the roadway. As Officer Brown follows about one block behind the car, it veers sharply to the center of the roadway and then abruptly back to the right side. Officer Brown decides to stop the car for investigation of a possible DWI. He turns on his dome/flasher lights and follows the car closely for about 30-60 seconds. There is no sign that the driver is aware of the patrol car. Officer Brown honks the horn several times, and the driver finally maneuvers to an abrupt stop just barely off the travelled portion of the roadway.

As he approaches the car, Officer Brown is greeted by the driver who has opened the window and inquires about why he was stopped. The driver's face is moderately flushed; his speech is clear; and his attitude is affable. Officer Brown observes that the driver is a white male about 50 years old. He is neatly dressed and groomed; he appears concerned about why he was stopped, but seems to be willing to cooperate. There are three passengers in the car who are identified as "my wife and kids" by the driver who has proffered his driver's license. Officer Brown detects a slight aroma of liquor and the driver admits to "a couple of drinks" before a later dinner at which he and his family also shared a bottle of wine. The driver also volunteers the information that he is going directly home which is only a short distance away. Officer Borwn confirms from the license that the driver's residence is only about one-half mile away. He observes that the car is apparently well cared for and the interior is clean.

Response Sheet

Scenario 1 for Unit 2 Exercise

Based only on the information in the scenario, please make a prediction of how this incident will end.

The suspect will be arrested for DWI. ☐

The suspect will be cited or arrested on another charge. ☐

The suspect will be released. ☐

Please make a note of those things in the story that lead you to make this prediction.

1. ______________________________
2. ______________________________
3. ______________________________
4. ______________________________
5. ______________________________

Discussion Notes

(You may want to record here the predictions made by the other participants and their comments.)

Scenario 2 for Unit 2 Exercise

Patrolman John Jones of the State Highway Patrol is typical of the men now joining the Patrol. Most of them are white, college-educated, and view their work as a profession for which they have strong ambitions. Jones is in his late twenties and has been on the Patrol for about four years and exhibits a high level of morale.

This event takes place on the 1600-2400 shift while Jones is conducting routine patrol on Interstate 95. He observes an old model sedan approaching at a high rate of speed. As the vehicle approaches, Officer Jones notes that it changes lanes frequently but not in a particularly hazardous way. He decides, as it passes his post, that the driver is exceeding the limit, and he begins pursuit. Jones observes that the vehicle continues at a high rate of speed, which he eventually clocks at 71 miles per hour. The posted limit is 55. Jones turns on the dome and flashers and continues the pursuit down an exit ramp. The time of clocking the suspect was 2018--which is almost exactly the middle of his shift, the weather is clear, and the road is dry and well lighted. The suspects exits the Interstate into an all black housing project.

The driver becomes aware of the patrol car and maneuvers neatly to a stop, well of the road in a well-lighted area.

Jones approaches the car and observes that there are five passengers in addition to the driver. All of the occupants are black. The car is poorly cared for and has several dents and scrapes. When Jones tells the driver that he has been stopped for speeding, he receives a gruff-sounding answer to the effect "...I never drive this old car very fast." The driver produces his license and registration when requested, but in a markedly slow, deliberate fashion. His conversation with Jones is curt--almost surly. As indicated by his license, he lives in the downtown area. He volunteers that he "is out here to show his friends around."

As they talk, Jones observes a case of beer on the back floor and is aware of the strong smell of beer. The driver acknowledges that he has had "a few beers."

Response Sheet

Scenario 2 for Unit 2 Exercise

Based only on the information in scenario, please make a prediction of how this incident will end.

The suspect will be arrested for DWI. ☐

The suspect will be cited or arrested on another charge. ☐

The suspect will be released. ☐

Please make a note below of those things in the story that lead you to make this prediction.

1. ____________________
2. ____________________
3. ____________________
4. ____________________
5. ____________________

- -

Discussion Notes

(You may want to record here the predictions made by the other participants and their comments.)

Scenario 3 for Unit 2 Exercise

Officers Smith and Young are assigned to the Patrol Division of a Metropolitan Police Department. The Department is understaffed and has experienced a significant increase in crime and calls for service during the past few years. Although DWI enforcement is one of the functions of the Patrol Division, the Department has no specific policy relating to this activity, and supervisors tend to place emphasis on other duties.

The officers, working in a two-man patrol car, have just started the 1600-2400 shift on a typical Friday night. Smith, the younger of the two, is driving. The district lies between an industrial area and a residential area. The traffic is moderately heavy because many workers are still en route home. There are several taverns in the area, and it is customary for many workers to stop on their way home for "a few beers."

As the officers approach a usually busy intersection, they observe a car that had been parked in front of a tavern move into traffic and turn right at the intersection, ignoring the stop sign. The officers decide to stop the driver for the stop sign violation, and turn on the dome/flasher lights. There is no evidence that the driver is aware of the patrol car as they drive through the next block. Officer Smith honks the horn several times and the driver finally maneuvers toward the side of the roadway and stops out of the travelled portion, but well away from the curb.

Officer Smith exists the patrol car and approaches the suspect's car. He observes that the headlights are on; the driver is alone in the car and appears to be a white male about 40 years old, dressed in work clothes. Smith requests the driver's license and car registration. The driver's face is flushed and the odor of beer is very strong. The driver acts slowly and deliberately but appears to have difficulty in finding the papers and passing them to Smith. Smith notices that the driver is staring straight ahead and keeps his hands on the wheel as though for steadiness.

The driver answers Smith's question about drinking with the assertion that he has had "about 6 or 8 beers since I left work." He states that was about 1-1/2 hours ago, which seems to be correct. The driver answers Smith's questions very tersely, but is not aggressive or surly. The license indicates that the driver is a few blocks from home.

Response Sheet

Scenario 3 for Unit 2 Exercise

Based only on the information in the scenario, please make a prediction of how this incident will end.

The suspect will be arrested for DWI. ☐

The suspect will be cited or arrested on another charge. ☐

The suspect will be released. ☐

Please make a note below of those things in the story that lead you to make this prediction.

1. ____________________
2. ____________________
3. ____________________
4. ____________________
5. ____________________

- -

Discussion Notes

(You may want to record here the predictions made by the other participants and their comments.)

Allotted
Time
0:15

Unit 3. Research Studies of Factors--Background

This unit is a brief description of the objectives of the research studies and the methods that were used. The objectives are:

- To provide an understanding of the purposes of the research studies.
- To provide an understanding of the specific methods that were used.

References and Special Materials

1. The pertinent parts of each study--background, purpose and method--should be reviewed. (Appendix A, pp. 1-8, 48-51)
2. National statistics can be found in Borkenstein and the ASAP Evaluation (see Bibliography).
3. Any local statistics or descriptions of countermeasure programs can be used to illustrate needs.

UNIT 3. RESEARCH STUDIES OF FACTORS--BACKGROUND

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(--) 0:05	BACKGROUND	
	1. Impact of alcohol-related offenses on highway accidents, injuries and fatalities.	Mention local and/or national statistics
	2. Countermeasures have been developed at several Government levels (e.g., ASAP). Police enforcement is emphasized in all programs.	Mention local programs
	3. However, overall level of enforcement remains low.	Cite local statistics
	• estimated at two arrests per year for typical traffic officer (Borkenstein)	
	4. Also, alcohol-related offenses remain high	Cite local statistics
	• estimated one in 20 drivers on a week-end evening exceed statuatory BAC (ASAP Evaluation).	
	5. Need to increase rate of enforcement persists.	
(0:05) 0:05	PURPOSE OF STUDIES	
	1. Since enforcement remains low in spite of knowledge of problem and effects, it appears that other factors influence a police officers decision to enforce alcohol-related laws.	

UNIT 3. RESEARCH STUDIES OF FACTORS--BACKGROUND

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	2. Many factors can be suggested. To determine which are really operational, the two studies were funded.	Relate back to scenarios in Unit 2.
	3. The specific objectives were to identify factors (positive or negative) that affect the arrest decision and to suggest remedial action to increase enforcement rate.	Refer participants to Appendix A of their manual.
(0:10) 0:05	METHODS	
	1. Describe the survey/interview techniques that were used. (Brief statement, refer participants to study summaries in Appendix A).	Refer to Appendix A.
	2. Emphasize that the studies were controlled to insure that results are valid. . departments and officers were guaranteed anonymity. . department size, location and mission were sampled on a representative basis . ASAP and non-ASAP were studied separately to assess possible effects of a formal countermeasure program.	

UNIT 3. RESEARCH STUDIES OF FACTORS--BACKGROUND

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3. In the non-ASAP study: . 255 police officers were surveyed by questionnaire and 69 of them were interviewed in depth. . 74 police supervisors were surveyed as were 12 judges, 14 prosecutors and 6 civic officials.	A slide showing total numbers in each study can be used here.
	4. In the ASAP study: . 85 police officers assigned to ASAP and 21 assigned to other duties were interviewed. . 13 police supervisors were interviewed.	
(0:15)		

Allotted
Time
0:60

Unit 4. Factors Associated with Officers' Attributes and Attitude

All of the factors from the research studies will be presented and discussed. The objectives are:

- To provide an understanding of the personal characteristics that influence a patrolman's decision.
- To compare the results of Unit 2 with the study results and evaluate the differences.
- To provide the opportunity for relating these factors to each attendee's own experience and practices.

References and Special Material

1. The section of each study on personal factors and attitudes constitute the basic references.
2. Slides can be prepared from the results sections of the study to illustrate parts of this unit. (See Appendix A, pp. 9-11 and 52-57)

UNIT 4. FACTORS ASSOCIATED WITH OFFICERS' ATTRIBUTES AND ATTITUDE

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(--) 0:05	INTRODUCTION	
	1. Many of the factors that affect an officer's decision are personal ones--the officer's age, drinking habits and attitudes toward alcohol.	
	2. In this unit the factors will be presented and time will be allowed for discussion aimed at relating the factors to the participants own experience and attitude.	Throughout this unit the leader should use slides or the chalkboard to present data taken from **Appendix A.**
	3. (The leader should establish at this point how he prefers to conduct the unit. It is suggested that he present the results in total and then open discussion. However, the exact format should be the leader's choice.)	
(0:05) 0:20	PERSONAL FACTORS	
	1. Younger, less-experienced officers made more arrests than older. · age and experience appear to operate as a single factor. · 50% of those 30 or under made 6 alcohol-related arrests in previous year.	The content of the remainder of this unit is in outline form. Comments and instructions to the leader are in parentheses.

UNIT 4. FACTORS ASSOCIATED WITH OFFICERS' ATTRIBUTES AND ATTITUDE

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. Only 38% of those 31-40 made the same number and only 26% of those over 40 made 6 or more arrests.	
	. However, in the ASAP study, older more experienced officers were judged to be more "rigid enforcers." (See Appendix A, pp. A52 and A9)	This contrast in results should be used as a basis for discussion--and possible resolution.
	2. Officers who are infrequent or light drinkers make more arrests.	
	3. Most officers report that "other officers" decision to arrest would be affected by their drinking habits.	
	4. Most of those interviewed tended to underestimate the amount of alcohol needed to reach a specified BAC. . Effect of underestimation is that if officers think that a suspect may have had only one or two drinks they might be inclined not to arrest. . Fewer than 1 in 5 officers were able to estimate accurately the amount of alcohol needed to attain a BAC of .08 - .12.	Leader should ask participants for their own estimates to illustrate this. Use slide developed from Appendix D to show error of estimate.

UNIT 4. FACTORS ASSOCIATED WITH OFFICERS' ATTRIBUTES AND ATTITUDE

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	5. About one-third of the officers believed erroneously that their own consumption produced illegal BAC's and thus they could have been guilty of DWI and might tend to be sympathetic with a suspect.	
	6. Officers having special training in alcohol-related enforcement made more arrests.	Compare to local statistics
	7. Special assignment produces more arrests.	
	8. The ASAP study produced results generally the same as that given above. The slight variations in emphasis and content of the ASAP versus the non-ASAP results are shown in the following outline. a. ASAP officers felt that other officers' drinking habits affect the other officers' decisions, but that their own drinking habits do not affect their decisions. 50% felt other officers who drank were negatively affected. 82% felt that their decisions were not affected. 14% felt that the fact they did not drink made them more rigid in their arrest decisions.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. There are three areas of concern: . Detection training to spot DWI suspects; about half of the ASAP officers felt they benefited from this training. A frequent response, however, was that experience was of far greater value. . Training relative to court appearances; about half reported it was beneficial and many felt it gave needed confidence. . Training influence on officers' attitudes; only about one-third indicated that they were influenced by this training. Many however, stated they were made more aware of the DWI problem and the need for a treatment approach. c. Generally, ASAP officers are more disposed to enforce DWI laws if they have had prior experience in accident investigation. d. An officer's confidence in his ability has a strong, positive influence on his desire to make DWI arrests and his enforcement activity. This encompasses confidence in	

UNIT 4. FACTORS ASSOCIATED WITH OFFICERS' ATTRIBUTES AND ATTITUDE

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	his ability to identify suspects, to ascertain the degree of intoxication and to testify in court.	
(0:25) 0:15	ATTITUDINAL FACTORS	
	1. Officers' attitudes about the importance of the alcohol-related offense, especially in comparison to other duties, strongly affects the arrest decision. Also, some officers tend to be sympathetic to the suspect and be concerned over the effect of a DWI arrest and conviction	Statistics can be taken from the Technical Reports. Leader should emphasize that the attitudes do exist and they determine how an officer reacts to all other factors.
	2. Most officers have adequate knowledge of the causal role of alcohol in crashes but appear not to consider it in enforcement.	In discussion the leader should emphasize this and help participants to relate it to their own experience.
	3. Sympathetic attitude toward suspect derives from belief that he could be a "social drinker" and have taken only a "few drinks," or from the suspects "sob story."	
	4. The use of "alternatives" to arrest (such as having a sober passenger drive) is acceptable to most officers if they perceive that the practice is tolerated by the department.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	5. With regard to adjudication, the officers were aware of the penalties for DWI and felt they were fair. However, it appears that the officers who felt that penalties were too severe, were more affected by their attitude than were the others.	
	6. Some of the ASAP study results were developed with a slightly different emphasis. These are presented below:	Leader should comment here that basically there are no differences between the two studies, but they were conducted and reported in different ways.
	a. Those ASAP officers who had the most exposure to drunk drivers had little sympathy for DWIs, and were most disposed to make arrests. Those officers who were sympathetic to DWIs were less inclined to make arrests.	
	b. 94% of ASAP officers did not feel the penalty for DWI was too severe and most officers felt that existing penalties were adequate provided they were applied.	
	c. ASAP officers reported a tendency to be influenced in the case of first offenders when severe penalties were possible.	

UNIT 4. FACTORS ASSOCIATED WITH OFFICERS' ATTRIBUTES AND ATTITUDE

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	d. Most ASAP officers felt that tough DWI enforcement was a deterrent and that this influenced their decisions, causing more rigid enforcement.	
(0:40) 0:20	DISCUSSION	
	1. The discussion is initiated by the leader by such questions as: . How do these results compare to your experience? . Are there alternatives to arrest? . What attitudes are common in your department?	It can be useful to relate the discussion back to the Scenarios in Unit 2 and to the responses that were made in that unit.
	2. The leader should first attempt to determine that the content of the unit has been understood. Second, he should direct the discussion to how the content applies to each participant's own department.	
	3. If there is time, the leader should very briefly summarize the unit.	

Allotted
Time
0:60

Unit 5. Factors Associated with the Local Environment and the Specific Incident

This unit is the same as Unit 5 except that the factors related to the local environment and to the specific incident are the topic. The objectives are to present and discuss these factors relating them to the participant's own experience.

References and Special Material

1. The sections of each report on environmental and incident-specific factors are the basic references.

   - The non ASAP report identifies these as: Factors Relating to the Local Environment and Factors Specific to a Given Incident. (pp A-9 - 11)

   - The ASAP report identifies Driver Related Factors, Operational Factors, Departmental Factors and Outside Influences. (pp A-52 - 57)

2. Specific quantitative results from the reports can be used to prepare slides or be available to put on the chalkboard.

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	(This unit will be conducted in the same way as the previous one in terms of format.)	
(--) 0:05	INTRODUCTION	
	1. Factors that are a consequence of the local environment and that are specific to a given incident also affect the decision.	
	2. The word "environment" is used in a broad sense to encompass:	
	. operational procedures . department characteristics . community attitude . court procedures	
	3. Incident specific factors include:	
	. driver's age, sex and race . driver's attitude . time of day (time in tour) . weather . driving infraction . "observed degree" of intoxication	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:05) 0:20	FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT	
	1. Departmental policy is a critical factor. Lack of formal, specific policy and lack of standards of performance are perceived as an "unwritten policy" favoring low enforcement.	Statistics from the reports can be summarized on slides or for use on chalkboard
	2. Plea bargaining and lengthy (delayed) court procedures both lead to relatively low enforcement.	
	3. However, officers who are generally "high" enforcers are not deterred by their dissatisfaction with disposition of cases by the court.	
	4. Lengthy processing procedures for arrest and booking discourage enforcement.	
	5. The attitude of the community had little effect on the arrest decision. The public generally favors DWI enforcement but is also tolerant of drinking.	
	6. There appears to be little formal communication between police and community regarding alcohol-related enforcement except, of course, in ASAP communities.	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	7. Where policy is not clearly, formally stated, the supervisor represents policy and patrolmen respond to the expressed requirements as well as the attitude. 8. Supervisors generally are aware of the discretion that can be exercised by a patrolman and appear to believe that patrolmen exercise more "non-arrest" options than is actually the case. 9. Large municipal departments produce relatively fewer arrests, which suggests an emphasis on criminal enforcement not found in small or state departments. However, officers' perception of the emphasis seems not to affect the decision to arrest. 10. The ASAP study produced some variations particularly with regard to the specialized assignment and how it was operated. These are presented below: a. Frequency of court appearances had little influence on ASAP officers possibly because of pay for court time.	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. Duty hours worked by the officer can affect his family life, morale and health and produce lower enforcement. c. The one-man patrol in specialized DWI enforcement is more effective than the two-man unit. Several reasons have been inferred--but not proven. . Two-man units can be out of service more for "personal business". . The officers can become involved in discussion and thus be less attentive. . The officers may be less receptive to supervision if they view their partner as an "ally" against the supervisor. . Two-man units could double the opportunity for discretion. If one objects to arrest, the suspect would not be charged. d. For a variety of reasons, some agencies assigned DWI enforcement units to areas not identified with major DWI problems. This indicates lack of priority to the officers and enforcement suffered.	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	e. Officers who are forced into specialized DWI enforcement activity are more influenced by the other factors than those who have volunteered. f. ASAP officers who tend informally to compete for arrests as well as those who are well equipped and work from good facilities are less likely to be influenced by other factors. g. It was found that police are hesitant to make arrests in areas where certain racial or socioeconomic groups are concentrated because they wish to avoid possible violence or political consequences of DWI enforcement activity in those areas. They also avoid arrests that could appear to be racially motivated. h. A high level of morale appears to produce a high enforcement rate. Morale is adversely affected if the ASAP officers feel that they are isolated from the rest of the department or that they have weak supervision.	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	i. With regard to disposition of DWI cases in court, the ASAP study results are mixed. Overall the officers noted court support as an important factor: fair and equitable adjudication would lead to higher enforcement. Lack of experience among prosecutors and heavy caseloads (resulting perhaps in plea bargaining) were cited as negative influences. j. Some ASAP officers felt that courts used treatment and rehabilitation programs in lieu of sentencing in a way that contravened the intent of the law. This feeling discouraged enforcement.	
(0:25) 0:15	FACTORS SPECIFIC TO A GIVEN INCIDENT 1. Two factors in a given incident are of special importance to the arrest decision: a. degree of intoxication b. accident (or serious violation)	
	2. Over two-thirds of the officers agreed that a driver who appears "borderline" by traditional symptoms would not be arrested. Similarly a majority indicated that signs of gross intoxication	The symptons of illness that might be mistaken for intoxication can be noted here (see Appendix D).

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	precluded the exercise of discretion.	
	3. An equally large proportion of the officers indicated that a hazardous moving violation or an accident would strongly influence them toward arrest.	
	4. Alcohol-related enforcement is affected by the timing of the incident relative to the time into the shift.	
	a. Arrests appear to occur uniformly throughout the shift.	Local statistics may be available to illustrate this factor.
	b. However, no-arrest investigations are significantly less frequent late in the shift.	
	c. Inference is that borderline suspects will not be stopped near the end of the shift.	
	5. Many officers indicated that they would be influenced by the fact that the shift was nearly completed.	
	6. However, in jurisdictions having short arrest and booking procedures, the time into shift was a less significant factor.	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	7. Weather at the time of an incident appears not to affect the arrest decision as such. However, it appears that in foul weather fewer borderline cases are detected and stopped.	
	8. Several personal characteristics of the suspect have some effect on the arrest decision: . age . sex . race . attitude . position in community	
	9. It appears that young officers are more lenient to young suspects. Older officers tend to stop and investigate more young suspects.	
	10. However, the arrest rate for young suspects is about the same for officers of all age groups.	
	11. Race does not appear to affect the arrest decision as such. But it does appear that more non-white borderline suspects are investigated. (Note that data are from predominately white officers. The leader can use this as a discussion point, but no causal relation-	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	ship has been established by the studies.)	
	12. A female suspect is less likely to be arrested: . processing takes longer and is complex . the officer may be accused of sexual advances . the attitude of drunk females is thought to be "disagreeable"	
	13. The suspect's attitude can be a decisive factor. About one-third of the officers thought a cooperative attitude would influence them toward a no-arrest decision. However, if the suspect "flunked the attitude test," he would be arrested.	
	14. A suspect who is well known in the community or personally to the officer is not likely to be arrested.	
	15. A given incident may offer one or more alternatives to arrest, such as: a sober passenger who can drive, the incident taking place close to the suspect's home or very light traffic (which might be thought to allow the driver to get home safely). The presence of an alternative is not of itself a	The leader should relate this topic to the Attitudinal Factors presented in Unit 4 and to Policy topics in this unit.

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	factor, but if the officer views an alternative as acceptable then it is a factor for no-arrest. 16. The ASAP study showed some slight variations in content and format of a few of the environmental and incident factors. a. Most ASAP officers do not feel they can easily distinguish the social from the problem drinker but, some say they are less likely to arrest a social drinker as they see **themselves** in this position. b. If a DWI arrest had been made earlier in the duty tour, the non ASAP officer would probably be inclined toward a no-arrest decision in subsequent stops. Only about one-fifth of ASAP officers said the same. c. If a suspect is stopped late in the shift, about one-third of the ASAP officers reported to incline toward no-arrest even if overtime is paid. The time required to process the suspect was also noted as a factor in this connection.	

UNIT 5. FACTORS ASSOCIATED WITH THE LOCAL ENVIRONMENT AND THE SPECIFIC INCIDENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:40) 0:20	DISCUSSION	
	1. The leader should initiate the discussion period by some questions that elicit the participant's reaction and comment about his own experience.	This can be related back to Unit 2 by comparing the study results to participants' responses.
	a. What have been your experiences with young suspects? Have they been arrested? What is the departmental policy on youthful offenders?	
	b. Do your officers act upon available alternatives?	
	c. How long does it take an officer to process a DWI arrest? Do you agree with the effect described in the studies?	
	2. In this unit the factors relative to adjudication and community pressures (or expectations) should be of special interest. They can be used to open the discussion but the leader must exert control to assure that all of the unit is discussed.	
	3. The objective of discussion should be to insure understanding of the study results and to relate the results to each participant's local situation.	

Allotted
Time
1:00

Unit 6. Recommendations for Command and Supervisory Action

The objective of this unit is to provide an overview of the actions that were recommended by the two research studies. This unit is a brief summary of the recommendations that will be dealt with in the presentation/discussion units and the case-study units that make up most of the remainder of the workshop.

References and Special Material

1. The recommendations are summarized in Appendix A (pp 12-16 and 58 ff).

2. No special material is required, but the leader may wish to prepare "headline" or topical slides.

UNIT 6. RECOMMENDATIONS FOR COMMAND AND SUPERVISORY ACTIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	INTRODUCTION	
	1. Recommended actions concern policy, operations, training, communication. (Define these terms--see Section II Workshop Objective in this document.)	
	2. Each area is subject of a discussion unit and a case study unit.	
	· Policy Units 11 and 12	
	· Operations Units 13 and 14	
	· Training Units 17 and 18	
	· Communication Units 19 and 20	
(0:05) 0:10	POLICY	
	1. Policy estahlishes the framework within which the officer can operate in enforcement and can be a basis for court testimony.	The leader should refer to the DOT report on Model Policies for background (see Bibliography). Leader should be prepared to distinguish objectives from "quotas."
	2. Policy should be written and communicated to patrolmen. It should include management objectives.	
	3. Priority to be given alcohol-related enforcement should be determined and stated.	
	4. An alcohol-related information system should be established and maintained.	
	5. Policy directives addressed to key factors influencing the arrest decision should be considered.	

UNIT 6. RECOMMENDATIONS FOR COMMAND AND SUPERVISORY ACTIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:15) 0:10	OPERATIONS	
	1. Procedures must be formulated to reflect priority and to facilitate higher enforcement.	
	2. Special patrols or other selective enforcement procedures must be implemented.	
	3. Investigative skills and procedures must be further developed.	
	4. Processing procedures must be made more efficient to save the time of the arresting officer.	
	5. Location and schedule of enforcement must be responsive to the locations and times of violations.	
(0:25) 0:10	TRAINING	
	1. Must address attitudes as well as specific skills.	
	2. Factors must be understood so that all patrolmen and supervisors know what the problem of law enforcement really is.	
	3. Understanding of the alcohol-related statutes.	
	4. Understanding of the alcohol intake-BAC-performance relationship.	

UNIT 6. RECOMMENDATIONS FOR COMMAND AND SUPERVISORY ACTIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	5. Expertise in special detection and investigation techniques including laboratory analysis equipment. 6. Understanding of the complete enforcement, adjudication, treatment (or punishment) process.	
(0:35) 0:10	COMMUNICATION 1. Includes interaction among police, courts, legislative bodies, and the public. 2. Studies made specific recommendations for court and legislative changes. Role of police is to understand these (see section on "Training," just above) and be able to communicate (interact). 3. Police will exert firm and equitable enforcement and expect same adjudication. There is a need for mutual training and communication. 4. Regular, frequently used channels of court/police communications are needed. 5. Legislative change such as the following would facilitate police enforcement: . "per se" laws which define intoxication in terms of BAC are needed	

UNIT 6. RECOMMENDATIONS FOR COMMAND AND SUPERVISORY ACTIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. preliminary breath-screening laws . overhaul of penalty/treatment provisions. 6. A means of apprising the public of the police objectives and activities should be devised with special attention to involved groups, such as drivers who drink and tavern owners.	
(0:45) 0:15	DISCUSSION AND SUMMARY 1. This unit is an overview of the recommended actions and any detailed discussion should be deferred to the subsequent units in the case study which allows a more thorough treatment of the recommendations in each of the four major areas. 2. At this point the leader should indicate that the presentation of the studies, themselves, is finished and that most of the remainder of the workshop will be devoted to application by means of the case study. Prior to beginning the case study, however, the next unit will be devoted to a review of the current state of alcohol and highway safety and a controlled drinking demonstration will be conducted.	

Allotted
Time
1:00

Unit 7. Alcohol-related Offenses and Enforcement

This unit includes a brief presentation, but for the most part consists of a directed discussion about the significance of alcohol-related offenses, the total process of enforcement (with particular emphasis on the role of police in enforcement) and information about legal limits of intoxication. In particular, the discussion portion will be directed toward local applications or local considerations. The instructional objectives of this unit are:

- To provide an accurate understanding of the relationship between alcohol-related offenses and highway safety.
- To provide an understanding of the process of alcohol-related enforcement and the role of police in that process.

References and Special Material

The leader should use as much local material as possible. Any statistics of alcohol-related enforcement can be applied to this unit. Also, relevant local and state statutes should be cited. The following references provide a good overall background:

- U.S. Department of Transportation. *1968 Alcohol and highway safety report.* Washington, D.C.: U.S. Government Printing Office, 1968.
- U.S. Department of Transportation, National Highway Safety Bureau. *Alcohol safety countermeasure program.* Washington, D.C., 8 June 1970.

Current national statistics can be requested from:

The Office of Driver and Pedestrian Programs
NHTSA, U.S. Department of Transportation
Washington, D.C. 20590

UNIT 7. ALCOHOL-RELATED OFFENSES AND ENFORCEMENT

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	ACCIDENT STATISTICS 1. Review the national statistics on alcohol and highway safety. Compare these with state and local statistics if available. Note: Present data on a yearly basis or use other convenient time frame. Data presented should represent the most current information available on the number and percent of: a. Accidents in which alcohol is involved:_____ b. Injuries in which alcohol is involved:_______ c. Deaths in which alcohol is involved:________	
(0:05) 0:10	COUNTERMEASURE OVERVIEW 1. Explain that, over the years, many groups have been concerned about the deaths on the nation's highways due to alcohol. These groups have included scientists, law enforcement personnel and government agencies. Their efforts have resulted in: a. Chemical testing 1) Recognition of the value of chemical testing in determining the amount of alcohol in a person's blood.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	2) Development and refinement of breath equipments that give accurate and reliable indications of amount of alcohol in the blood. b. Legislation 1) Changes in state legislation which require a motorist to submit to a chemical test upon request of a police officer as part of his right or privilege to use the state's roads--known as implied consent laws. Indicate the total number of states (_____) that currently have implied consent laws. 2) Specification in legislation of blood alcohol concentrations which are presumptive evidence of intoxication or of impaired driving. c. Research and Development 1) Assistance provided by NHTSA to communities in the development and	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	conduct of programs aimed at identifying and treating the problem drinker and minimizing the likelihood of his driving a car when drinking. 2) Research such as the studies that are the basis of this workshop. To help improve the rate of enforcement. 3) Development of specialized training for law enforcement and judicial personnel. (Such as this workshop.)	
(0:15) 0:15	ROLE OF POLICE IN ENFORCEMENT 1. Objective of DWI legislation is basically to prevent DWI. Also to aid in apprehension of suspects and conviction of offenders. Provides means to treat chronic offender. 2. Role of the police is to prevent DWI through patrol presence and deterrent effect of arrest and prosecution. Some specific actions are: . To detect and apprehend by means of regular patrol activity and selective enforcement techniques.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	- To help convict offender by means of investigation and court preparation and presentation. - To help treat chronic offender by identification of problem drinker (through arrest) by referral to treatment agency and by arrest and conviction (to force treatment). - To help keep offender off the road by public information and the deterrent effect of patrol presence and arrest/enforcement activity.	
(0:30) 0:20	BAC AND CRASH PROBABILITY 1. Summarize information regarding BAC and likelihood that a driver will crash. (Note: The following data have been taken from the 1968 Alcohol and Highway Safety Report--see Instructor References.) Instructor should make additional use of any other information he has available, particularly any information pertinent to the local area.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	a. Likelihood that a driver will crash. Draw typical curve on the blackboard to emphasize these points: 1) It begins to increase at a BAC of 0.05% and becomes progressively and disproportionately higher at higher BAC's. 2) It is estimated to be six or seven times more likely at a BAC of 0.10% and more than 25 times more likely at a BAC of 0.15% over that for a driver with no alcohol in his blood. b. Likelihood that a driver will cause a crash. Draw typical curve on the blackboard to emphasize these points: 1) It begins to increase at a BAC of about 0.05%. 2) It is estimated that drivers with BAC's between 0.09% and 0.14% are seven times more likely to be responsible for the crash than nondrinkers.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3) It is estimated that drivers with BAC's of 0.15% or higher are 42 times more likely than nondrinkers to have initiated the crash.	
	c. Likelihood that a crash will be severe	
	1) Crashes where alcohol is involved tend to be more severe than those in which alcohol is not involved.	
	2) The higher the BAC, the greater is the probability of a serious or fatal crash.	
(0:50) 0:10	SUMMARY	
	1. Solicit questions and comments to help sumrize, if time is available.	

Allotted
Time
(app. 4:00)

Unit 8. Controlled Drinking Demonstration

This unit is designed to demonstrate the effects of alcohol ingestion on performance and to demonstrate the relationship between quantity of alcohol ingested and blood alcohol concentration.

During the first one or two hours of this unit, there will be an organized presentation/discussion of:

- The nature and effect of alcohol intoxication.

If, because of regulation or for some other reasons, it is impossible to conduct this demonstration, an evening session must be scheduled for the presentation and discussion of the nature and effects of alcohol. Also, it would be desirable to schedule one of the films suggested as alternatives to the demonstration. The films are listed in Appendix C which gives detailed guidance for the demonstration.

In addition to the traditional sobriety tests, it would be interesting and informative to use either a driving simulator or a simple visual reaction device. Both of these devices require skills that are relevant to driving and are affected by BAC. Since a simulator may not be readily available, it is suggested that visual reaction time be measured. The leader should refer to the Planning Guide, p. 29 and Appendix B, for more information about reaction-time devices.

References and Special Material

There are no generally available reference materials on the conduct of a controlled drinking demonstration. Appendix C of this document contains some general guidance that has been derived from alcohol experimentation. Also from the same source, the unit outline that follows presents more specific and detailed guidance for the leader. Experience, however, is the most valuable resource in these demonstrations and the leader, in preparing to conduct this unit, should seek out an instructor who has conducted a demonstration or experimentation session.

In planning this unit, the leader should obtain competent medical advice relative to the health and safety of the volunteer drinkers. Also, he must obtain information about the conduct of the performance tests. The sources of this latter information are, of course, determined by what tests are used. Procedures for traditional sobriety tests are easily available from almost any police organization.

If video tape is to be used for review of the demonstration, a schedule for recording should be carefully developed. In this way, the actual performance tests can be recorded along with identification (including weight), time and amount of alcohol consumed. There should be no attempt to film the entire session as it would make the next day's review very difficult. An experienced video operator can be very helpful to the leader in planning this.

UNIT OUTLINE

UNIT 8. CONTROLLED DRINKING DEMONSTRATION

Introduction

This outline is in a different format than those for the presentation and discussion units because of the different structure and content of this unit. Also because there will be wide local variation in facilities and the tests that are used, it is not possible to specify precise, universally applicable procedures.

In planning for this unit, the leader should be aware of the following basic requirements and be satisfied that they are accounted for:

1. As part of registration, each participant should be required to certify his medical and psychological fitness to drink if he wishes to volunteer.

2. A physician should be in attendance, but this may be waived if the sponsoring agency is satisfied with the certification as required above.

3. Drinking must be voluntary and anyone may terminate at any time. The leader must insure that neither the workshop staff nor the participants exert any pressure on a participant to volunteer to drink or to continue drinking if he wishes to stop. To do otherwise can lead to possible endangerment of the volunteer's health or to the discomfort and unpleasantness of passing-out, vomitting, etc.

4. No firearms are to be allowed (either staff or attendee) in the demonstration room or in the dining room during the meal after the demonstration.

5. No more than half of the participants will drink.

   (Note: While it would be desirable for all participants to drink, the need for effective control, and possibly for transportation of the drinkers, makes this limit almost mandatory.)

6. In addition to the workshop leader, one technician qualified to operate each breath-testing device and an instructor to help with control of drinks and the performance tests will be required. A second assistant instructor will be helpful, especially if the enrollment approaches twenty (the suggested maximum).

7. No food will be consumed for three hours prior to the demonstration to allow for more rapid and predictable alcohol absorption. The following schedule for meals is suggested:

   - Lunch can be scheduled either for 1200-1300 or 1300-1400. If the latter, then Unit 5 would be presented from 1200-1300. In either event, the attendees should be served* or encouraged to obtain a "heavy" lunch, since the demonstration will begin at the close of the workshop day and no meal will be taken until about 2000-2030 that evening.

   - At the conclusion of the demonstration a light meal should be provided, or it should be convenient to obtain such a meal.

8. If it is necessary for the participants to drive from the site of the demonstration for a meal or to their living quarters, the nondrinking participants should drive the volunteer drinkers or some other transportation must be provided.

Schedule

The schedule suggested here requires that the demonstration preparation begin immediately upon the conclusion of Unit 8 (approximately 1600 on the first day). Transportation and specific logistical instructions will, of course, depend on local arrangements.

1600-1630	Indoctrination · Schedule and instructions · All attendees perform tests for "baseline" record · Weigh volunteers and calculate alcohol needed to attain .10 BAC (or selected level) · Brief physical check by physician
1630-1700	Present initial parts of Unit 9
1700-1730	Volunteers ingest first drink (50-60% of total alcohol)

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*This workshop is ideally presented at a relatively isolated location with the participants living together for the whole time. If this is the case, the meal arrangements are easily made. Even if the workshop is not done on a "live-in" basis, the possibility of providing the lunch and dinner on this day on a group basis should be considered. Group meals would greatly facilitate conduct of the demonstration.

1730-1735 No drinking--volunteers may elect to stop

1735-1745 Ingest second drink (20-25%)

1745-1750 No drinking--volunteers may elect to stop

1750-1800 Ingest third (final) drink (20-25%)

The schedule and quantity of drinking suggested above has been used with good results in experimental studies. Other plans based on local experience, however, can be used. The formulation of drinks is left to local discretion, but it is suggested that whiskey or other liquor be used (not wine or beer) and that noncarbonated mixers be used. The mixer in each drink should not exceed, in volume, the amount of alcohol. If a volunteer wishes, he may drink the liquor "straight."

Volunteers should be served and timed for each drink so that they finish drinking at 10-minute intervals. This allows each BAC to be taken and tests begun at exactly one hour after the last drink when peak BAC can be expected. When the exact schedule has been established for each volunteer, the leader should be given a written copy so that he can monitor the time and remind the volunteers of their schedule.

1700-1800 In parallel with above events, the Workshop Leader continues Unit 9.
The assistant instructors will prepare and serve the drinks.

1800-1830 Rest period

- No drinking
- Further discussion of Unit 9
- Staff prepares to measure BAC and readies space for performance tests

1830-1900 Measure BAC, using available breath-testing equipment operated by a qualified technician

1900-2000 Performance testing

The objective of this testing is to show changes in performance associated with drinking. The measures of performance will be:

- simulator scores (if used)
- reaction time (if used)
- observers' evaluation of sobriety tests
- volunteers' self-reports

The first two measures are defined by the device that is used. The second two are nonquantitative and should be recorded for review during Unit 10 in a format that is easy to analyze and, preferably, familiar to the participants. A local police investigation report form could be used. If video taping equipment is available, it can be used to record some or all of the tests and shown next day in the review.

2000- Dinner

Allotted
Time
1:00

Unit 9. Nature and Effect of Alcohol Intoxication

This unit includes information about the chemistry of alcohol, the physiology of intoxication, the relationship between BAC and performance, as well as a description of the symptons of inebriation. This unit is a brief presentation of all these topics but emphasizes those which the studies of factors influencing alcohol-related arrests have shown to be important. It is assumed that the attendees will not be completely naive of this subject. This unit will serve as a refresher and as a means of emphasizing the more important factors. The instructional objectives of this unit are:

- To review the salient points of the chemistry and physical properties of alcohol.
- To provide a review of the physiology of alcohol, its absorption, and the factors that affect BAC.
- To provide an understanding of the relationship among alcohol ingestion, BAC, and performance.

References and Special Material

A brief summary of background for this unit is included in this document and in the Participant Manual (Appendix D in both). This material is adequate for the workshop, but more detailed information can be added at the leader's discretion. The bibliography lists additional sources.

UNIT 9. NATURE AND EFFECTS OF ALCOHOL

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(--) 0:02	OBJECTIVES	
	1. It is assumed that the attendees will not be completely naive of this subject. This unit will serve as a refresher and as a means of emphasizing the more important factors. The instructional objectives of this unit are:	
	a. To review the salient points of the chemistry and physical properties of alcohol.	
	b. To provide a review of the physiology of alcohol, its absorption, and the factors that affect BAC.	
	c. To provide an understanding of the relationship among alcohol ingestion, BAC, and performance.	
	2. Indicate that the trainees will find reference materials for this lesson in the Participant Manual (Appendix D).	The leader should monitor the time carefully to pace the drinking. He must follow the Demonstration schedule and announce times at which drinks should be consumed.
(0:02) 0:03	TYPES OF ALCOHOLS	
	1. Ethyl alcohol	
	a. Common names. Discuss the common names for ethyl alcohol. e.g., grain	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids

alcohol, neutral spirits, ethanol, or just plain "alcohol"; it is frequently abbreviated in the literature as "ETOH."

b. Properties. Ask different members of the class to tell what they think the properties of ethyl alcohol are. State the property, ask a class member to describe it, and critique the answer.

    1) Color--clear, colorless
    2) Odor--pleasant, practically odorless
    3) Taste--burning sensation
    4) Miscibility in water--freely miscible

c. General effect on body. Alcohol is always a depressant and anesthetic; it is generally harmless when consumed moderately, but highly poisonous when abused.

2. Methyl alcohol

a. Common name. Explain that methyl alcohol is commonly known as wood alcohol, since it was formerly made by the destructive distillation of wood; at present, it is

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	largely produced synthetically. It is also known as methanol. b. Properties. Discuss the properties of methyl alcohol: 1) Color--colorless 2) Odor--wine-like 3) Taste--burning sensation c. General effect on the body. Explain that methyl alcohol is highly poisonous if swallowed or inhaled. 3. Other alcohols. Explain that there are many other types of alcohol used for various purposes. Describe briefly some of these, but indicate that remainder of class discussion will be devoted to ethyl alcohol. For example: a. Isopropyl alcohol--used as a rubbing base alcohol b. Butyl alcohol--used as a base for perfumes	
(0:05) 0:05	PRODUCTION 1. Sources. Explain that any material can serve as the basic material for alcohol as long as it contains 12-15% sugar. Such materials might	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	be fruit juices, malt or cereal grain extract, vegetable pulp (potato, cactus), molasses. 2. Fermentation. Explain the following: a. Fermentation is the process by which all drinking alcohols are produced. b. Maximum alcohol content of a fermented beverage is 14-15% by volume; higher alcohol contents are obtained by a further process of distillation. 3. Distillation. Explain the following: a. Whiskey, gin, rum, brandy, etc., attain high alcohol contents through process of distillation. b. Alcohol boils at 78.3° C (173° F) and water at 100° C (212° F). When mixture of alcohol and water is heated, alcohol boils at a lower temperature. Steam is caught and cooled. c. By repeating the process, nearly pure ethanol can be obtained. 4. Alcoholic beverages: sources, production and alcoholic content. Appendix D-2 shows	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	sources, method of production and approximate alcoholic content of beverages. Discuss contents of the chart, bringing out the following points: a. Wines 1) They are produced from fruits (e.g., grapes) which have natural sugars and, therefore, ferment directly without any preparatory step. 2) They have a maximum alcoholic content of 14-15%. 3) For sweet wines, the fermentation process is stopped at about 10% alcohol. 4) Distillation of wine produces brandy. 5) For fortified wines, brandy has been added to increase the alcoholic content. b. Beer, ale, porter 1) They are produced from fermented malt and cereal grain. Malt converts starch in the grain into sugar which ferments to alcohol and carbon	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	dioxide by the addition of yeast. 2) Fermentation process is artificially stopped at desired alcohol content, e.g., about 4-6% for beer and 6-8% for ale and porter. 3) Distillation of special type beers produce whiskey. c. Whiskey, gin, rum, vodka 1) These are produced by distillation. 5. Congeners. Discuss the following: a. In addition to alcohol and water, alcoholic beverages contain numerous compounds or impurities known as congeners. b. Congeners typically impart a characteristic flavor and odor to the beverage. c. There is no evidence that congeners contribute in any discernible degree to the depressant effect of alcoholic beverages. PROOF SYSTEM 1. Proof is twice percent of alcohol by volume. 2. Most alcoholic beverages have a maximum of approximately 50% alcohol by volume.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	Remainder is water and flavoring agents (congeners). For example, beer has a relatively low alcoholic content and is approximately 90% water.	
	PHYSIOLOGY OVERVIEW	
	1. Referring to Appendix D, provide a brief overview of the absorption, distribution, and elimination of alcohol in the human body.	Material is also in Participant Manual
(0:10) 0:05	ABSORPTION	
	1. Diffusion. Explain how alcohol passes readily through all membranes in the body and is absorbed directly into the blood stream by the process of diffusion.	
	2. Routes. Explain that alcohol is typically swallowed and the common route of absorption is through the gastrointestinal tract.	
	3. Absorption from gastrointestinal tract	
	a. Source. Referring to Participant Manual, describe the absorption of alcohol by various parts of the gastrointestinal tract, e.g.:	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	1) Stomach	
	a) About 25% of the alcohol is absorbed directly into the blood stream through the stomach wall. Exact amount is variable and influenced by the emptying time of the stomach.	
	b) No other substances (even liquids) are absorbed from the stomach.	
	2) Small intestine	
	a) Remainder is absorbed from small intestine.	
	b) Very little gets past the duodenum (first 8 to 10 inches of the small intestine)	
	b. Rate. Explain that the rate of absorption varies somewhat from person to person and for the same person at different times, depending on the condition of his body. However:	
	1) Alcohol begins to pass into the blood stream within 1 to 2 minutes after	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	it is consumed. 2) Most alcohol is absorbed within 15 minutes. 3) Nearly 90% is absorbed within 1 hour. 4) Nearly all is absorbed within 1-1/2 hours. 5) In some cases, three hours may be required for complete absorption. c. Factors that affect rate of absorption. Discuss the factors affecting rate of absorption, e.g.: 1) General a) Rate of flow from stomach to small intestine is controlled by the pylorus. b) Absorption through stomach wall is slow and represents only a portion of total alcohol intake. c) Absorption through small intestine is rapid. d) Anything that increases emptying time of the stomach increases	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	absorption rate; anything that delays emptying time slows absorption rate. 2) Dilution a) Absorption is slow in dilute and strong beverages. b) It is fastest for a 20% water solution. c) Apparently, very strong solutions irritate the gastrointestinal walls and inhibit absorption. 3) Food in the stomach a) Food in the stomach delays absorption. b) Food delays absorption since stomach emptying time is delayed. c) This applies both to eating while drinking and to eating before drinking.	
(0:15) 0:05	ELIMINATION 1. Explain that alcohol is eliminated from the body by metabolism and direct excretion, i.e.:	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	a. Metabolism 1) Most alcohol (between 90 and 98%) is oxidized to carbon dioxide and water. 2) Oxidation takes place in the liver. 3) Since oxidation provides the body with calories, alcohol must be considered a food, although it has no direct food value. b. Excretion 1) A small amount of alcohol is excreted directly through breath, urine, tears, saliva, perspiration, etc. 2) The amount thus excreted is generally about 2% and rarely exceeds 8% of the quantity absorbed. 2. Rate of elimination. Explain that, as soon as alcohol is absorbed into the blood system and travels to the liver, the body immediately starts to eliminate it. a. The average rate of elimination is reported as 0.015 to 0.018% per hour and varies between 0.01 and 0.025% per hour.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. At very low BAC's, the average rate of elimination is about 0.01% per hour. c. For a man weighing 150 pounds, the quantity eliminated in one hour is about 7g or 2/3 oz. of 100-proof whiskey. d. Although there is some controversy in the literature, the preponderant evidence indicates that the rate of elimination is essentially linear. Draw typical curve on blackboard to illustrate property of linearity. 3. Factors affecting rate of elimination. Explain that: a. In general, rate of elimination is not affected by stimulants, diseased states or exercise.	
(0:20) 0:05	FACTORS AFFECTING BAC 1. Body weight x drinks consumed a. In general, a heavier person can consume more alcoholic beverages than a lighter person to attain the same BAC. b. The BAC can be estimated from the number of ounces of 100-proof liquor consumed or	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	number of 12-ounce bottles of beer vs. body weight. c. An elimination factor of 0.015% is subtracted for each elapsed hour since drinking commenced. Have participants estimate the number of drinks they could consume to attain specified BAC's.	
	2. Empty stomach vs. full stomach. Explain that: a. Food in the stomach will delay absorption and result in a lower BAC than would be obtained if the stomach were empty. b. Instead of decreasing immediately, a plateau at that BAC will be maintained for a longer period of time than if the stomach were empty. The amounts required to reach various BAC's under conditions of both full and empty stomachs may be estimated. Have class members estimate from the Exhibit the number of drinks they could consume to attain the same	Remind volunteers of time for drinking as appropriate

UNIT 9. NATURE AND EFFECTS OF ALCOHOL

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	BAC on a full and on an empty stomach. 3. Rate of drinking and quantity consumed. Refer to Participant Manual and Appendix D of this document: a. Maximum BAC's are generally reached 20 to 30 minutes after consuming a single drink on an empty stomach.	
(0:25) 0:10	EFFECTS ON THE CENTRAL NERVOUS SYSTEM 1. Overall depressant effect. Emphasize that alcohol is a depressant and not a stimulant. Many people think it is a stimulant, since its first effect is to reduce tension and give a mild feeling of euphoria or well being. 2. Specific effects. Describe the following specific effects of alcohol: a. Its first effect is on the most recently developed part of the brain--that part controlling a person's judgment and morals. b. Its last effect is on the oldest part of the brain--that part controlling a person's automatic body functions so that the individual completely loses control of himself,	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	passes into a coma, and ultimately can die if the respiratory center in the brain ceases functioning. 3. Stages of intoxication. There are no precise BAC's that define the various stages--one merges into another. The BAC ranges indicate that not all people are affected the same at the same BAC value. a. Sobriety. (BAC of 0.01 - 0.05%) No apparent influence; person appears normal. b. Euphoria. (BAC of 0.03 - 0.12%) 1) Sociable, talkative 2) Increased self-confidence, decreased inhibitions 3) Loss of attention, judgment c. Excitement. (BAC of 0.09 - 0.25%) 1) Loss of judgment 2) Impaired memory 3) Increased reaction time (person takes longer to respond)	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	4) Some muscular incoordination	
	d. Confusion. (BAC of 0.18 - 0.30%)	
	1) Mentally confused, dizzy	
	2) Exaggerated emotions (fear, anger, grief, etc.)	
	3) Disturbed vision	
	4) Decreased sense of pain	
	5) Poor balance, staggering gait, slurred speech	
	e. Stupor. (BAC of 0.27 - 0.40%) Person usually cannot stand, walk or react to his surroundings; may vomit, fall asleep	
	f. Coma. (BAC of 0.35 - 0.50%) Person usually is unconscious; if coma persists for more than 10 hours, it generally becomes fatal.	
	g. Death. (BAC of 0.45% +) Respiratory paralysis occurs.	
(0:35) 0:05	EFFECTS ON OTHER BODY ORGANS, SYSTEMS AND TISSUES	
	1. Kidney. Aside from the fact that alcohol is a mild diuretic, i.e., it increases urine output,	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	moderate use of alcohol does not appear to cause any kidney damage. 2. Liver. Alcohol has the following effects on the liver: a. It causes an accumulation of fat in the liver, a condition referred to as fatty liver. b. It may result in an inflammation of the liver, commonly called cirrhosis. However, cirrhosis appears to be more a result of the poor diet of the alcoholic, rather than a direct result of alcohol. c. Moderate use of alcohol does not appear to have a harmful effect on the liver of healthy, well nourished people.	
(0:40) 0:03	ALCOHOL COMBINED WITH OTHER DRUGS 1. Stimulants. (caffeine, amphetamine, etc.) Discuss the following points about central nervous system stimulants: a. They do not counteract the depressing effect of alcohol. b. They are only temporarily effective with regard to the grosser aspects of	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	alcoholic influence. c. They may be used for temporary arousal in severe intoxication, but the arousal effect is brief. 2. Depressants. Briefly discuss the effects of alcohol combined with these depressants: a. Analgesics, antihistamines, tranquilizers, etc.: 1) The depressant effects will be added together and, in some instances, the resultant effect will be greater than the expected combined effect of the two drugs. 2) The trainee should be alert to the fact that other depressants are used widely and indiscriminately and their use with alcohol could cause a serious problem for the driver. b. Narcotics (opium, morphine, cocaine, marihuana, LSD, heroin, etc.). Discuss the following facts about narcotics:	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	1) Animal studies have indicated additive and supra-additive effects of narcotics and alcohol; human studies are understandably lacking.	
	2) In examining the drunk driver suspect, the trainee should be alert to the possibility that the individual's behavior may be due to a narcotic or to a combination of narcotic and alcohol.	
(0:43) 0:02	TOLERANCE TO ALCOHOL	
	1. Briefly discuss the following information regarding man's tolerance to alcohol:	
	a. It is well known that people react differently to liquor, that is, some are better able to "hold" their liquor than others.	
	b. Different individuals at the same BAC level react differently. Although it may be said that the heavy drinker has learned to compensate for the effects of liquor (e.g., by standing with his feet farther apart to minimize swaying), tolerance has been noted in the person with no previous exposure.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	c. It is the opinion of most investigators that tolerance is limited and occurs most frequently at BAC's of 0.10% or less.	
	d. Individuals with the same weight attain different BAC levels from the same amount of alcohol.	
	e. The exact reasons for differences in tolerance to alcohol are unknown but the following reasons have been proposed:	
	1) Delayed absorption	
	2) Decreased penetration in the central nervous system	
	3) Increased elimination	
	4) Increased water content of the body	
	5) Increased tissue tolerance	
	6) Variation in the ability of individuals to respond to stress	
(0:45) 0:15	SUMMARY AND QUESTIONS	
(1:00)	1. Solicit questions and comments to stimulate discussion as time permits. The discussion should not interfere with the conduct of the Demonstration.	

Allotted
Time

Unit 10. Review of Controlled Drinking Demonstration 1:00

The objective of this unit is to review the demonstration. There is no formal outline. The specific activities will be determined by the nature of the material available from the previous evening (performance scores, video tapes, etc.)

The leader should attempt to focus discussion on the three factors: amount of alcohol--BAC--performance level. It is also useful to obtain the volunteers' reports of their feelings and especially of how competent they felt they were to drive.

Typically the participants should have a great deal to put into this discussion. However, the leader should be careful to avoid letting the discussion drift into purely anecdotal accounts of drinking.

The leader should be prepared to discuss any of the sobriety tests that did not appear to discriminate high levels of BAC. He should consider possible effects of practice, the subject's "handedness" (right-handed person will be more adept with his right hand in touching the tip of his nose for example).

The participant should obtain from this review an appreciation of the significance of the BAC level in terms of both the amount of alcohol consumed and the resultant decrement in performance.

If the demonstration is not performed, a film can be shown in this time period. There are many films about alcohol and its effects, especially with regard to highway safety. The NHTSA training package DWI Law Enforcement Training includes many films (or clips) about the effects of alcohol and the detection of DWI. This package is available from the Government Printing Office (see Bibliography). The Vermont ASAP (CRASH) has produced three films that are of good technical quality as well as being especially relevant to this Workshop. There are undoubtedly many others which have not come to the author's attention; so the list given below is simply a suggestion. Any film available to the leader can be used--provided it is selected for relevance to the workshop (factors influencing the DWI arrest decision) or that it depicts the decrement of performance that would have occurred in the demonstration. The latter goal is well met by the films that show actual driving after drinking.

Highway Safety Foundation
P.O. Box 1563
Mansfield, Ohio 44907

Go Sober and Safe: This film is directed to anyone who drinks and drives. It is a factual film on alcohol, showing its effect on the human body and its effect on the operator of a motor vehicle.

Audio-Visual Education Center
Frieze Building
University of Michigan
Ann Arbor, Michigan

Drunk Driving: Circumstances which lead to tragic accident, loss of life and a ruined career. Stresses "don't drink if you drive."

State of Wisconsin
Division of Motor Vehicles
Hill Farms State Office Building
4802 Sheboygan Avenue
Madison, Wisconsin 53702

Point Zero Eight: Eight well known racing drivers at Harewood Acres, Ontario, Canada, are scored on "dry runs," then again after drinking. The alcohol level was measured before and after the "wet" runs, using the Breathalyzer.

CRASH Project
P.O. Box 535
Waterbury, Vermont 05676

Five Drinking Drivers: Five volunteer, nonprofessional drivers practice on a controlled driving range to demonstrate base-line performance and then drive after drinking. Their performance is filmed and scored at about 0.05 and 0.10 BAC.

Beyond Human Limits is a shorter version of the above film.

CRASH is a dramatized enactment of the Vermont ASAP referral program. While it is specific to the Vermont plan, it has much general interest, since it emphasizes the attitudes of each of the participants in the referral process.

Allotted
Time
1:00

Unit 11. Policy-related Factors and Recommendations

This unit focuses on one aspect of the research results. That aspect includes the factors and recommendations related to departmental policy. This unit includes a brief presentation, and the remainder of the period is devoted to a discussion involving all of the participants. The objectives are:

- To provide an understanding of the policy-related factors and recommendations.
- To provide for examination of each participant's experience and practices in light of the study results.
- To develop an awareness of how these factors operate in one's own department.
- To identify, collectively or individually, appropriate command and supervisory actions with regard to policy concerning alcohol-related violations.

References and Special Material

1. The information on factors related to policy is contained in the summary of results for each study (pp A-9 - 11 and A-52 - 57). The related recommendations are on Pages A-16 - 22 and A-58 - 61.
2. The following report includes a good, practical definition of policy, as well as examples of policy statements:

   A Manual of Police Traffic Services Policies, Phase I. Washington, D.C.: U.S. Department of Transportation, National Highway Traffic Safety Administration, Contract No. DOT-HS-036-3-712, August 1974.

3. Local examples of policy statements are useful as illustrations.

UNIT 11. POLICY-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(--) 0:05	POLICY-RELATED FACTORS	
	1. All factors impact on policy since a decision to act is a policy decision.	
	2. Specific policy related factors are:	Relate this back to the Units (4 & 5) on Factors
	. perception of importance of alcohol-related events	
	. perception of penalties	
	. attitude about alternatives to arrest	
	. attitude about well-known suspects	
	. court disposition of alcohol-related cases	
	. departmental policy (or lack of it) interpreted by supervisors--not uniform.	
(0:05) 0:10	RECOMMENDED ACTIONS	
	1. Actions do not correspond directly with each factor. Recommended actions are inferred from several factors or from a single factor in the overall context.	
	2. Policy must be developed as an explicit understandable statement of the department's commitment to alcohol-related enforcement.	Attempt to convey an understanding of the need for a policy. (See pp A-16 and 59)
	3. It must be written and must be effectively promulgated.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	4. Important policy content includes: . A definition or statement that identifies the subject to be addressed. . A statement of scope that identifies those persons, places, or times affected. . The problem to be addressed. . The means, efforts or resources that will be used to address the problem. . The priority assigned to the problem. . The goals to be achieved by policy implementation, including broad monitoring or evaluation criteria. . A statement that all suspects will be treated alike regardless of social or political prominence, including specified administrative penalties for any officer who may extend any special treatment.	
(0:15) 0:05	5. Policy Implementation a. Important features of implementation are understanding by all members of department	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	and effective (committed) implementation. Some specifics to accomplish this are: . Patrolman and supervisory participation in policy development helps both understanding and commitment. . Define needs for policy in terms relevant to each level in the department. . Produce policy statements and directives in written form and publish for all affected units and personnel. . Provide regular channels for communication especially for feedback from lower levels. . Monitor performance to assess compliance (including patrolmen's knowledge of policy).	
(0:20) 0:05	PERFORMANCE STANDARDS 1. Standards are not quotas, but a means for measuring and evaluating performance as well as the policy. 2. Standards should be designed for change based on experience with a policy or for change in a policy.	

UNIT 11. POLICY-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3. Standards can be adopted to a unit or to individuals. Individual standards must include consideration of: . The performance objectives set for the entire unit to which the officer is assigned. . Education, training and experience of the individual officer. . The nature and location of the officer's assignment. . The nature of the police problems in the officer's area of assignment. . Past performance in the area where the officer will be assigned.	
	4. Performance standards are not absolute values and they can change over time. They should be stated as a range of values (not a single number). Also, an effective period of time should be given to insure updating.	
(0:25) 0:35	DISCUSSION	
	1. This is the most important part of the unit. In this discussion each participant should relate what	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	has been presented in the area of policy to his own needs and experience.	
	2. Discussion may well begin spontaneously. If not, questions about current policy in each department represented will stimulate discussion.	
	3. Leader must be sure to involve all participants. He must not dominate the discussion; this is the time to apply knowledge--there are no absolutely "correct" answers.	
	4. Be sure that the following are discussed: . concept of need for policy . importance of formal, written statement . means of helping understanding . means of assessing compliance	
(1:00)		

Allotted
Time
2:00

Unit 12. Case Study: Introduction and Policy-related Activity

The initial objective of this unit is to introduce the case study as a problem-solving and learning technique.

Using this technique, the remainder of the unit is devoted to the application of policy-related information to the resolution of a hypothetical police management problem.

Specific training objectives are:

- to identify the research results (factors and recommended actions) that relate to policy development and promulgation.
- to practice the development of policy statements and plans for policy promulgation in a case study.

References and Special Material

Basic reference material is in Appendix A (pp. A16-22 and 58-61).

There is a wide variety of special material that can be of use in this unit. Any local material on policy development as well as standard references such as listed below will contain some relevant information. However, in this unit the emphasis is on the participant's own assimilation and processing of the research study results. It is not intended to present in this unit (or subsequent ones) the philosophy or approach of an outside authority. The participants will be experienced police managers and this case study is an opportunity for them to apply their talents in a simulated situation using the facts and the recommendations developed by the research studies.

Some references that are applicable for both leader preparation and as resources during the unit are:

Wilson, O. W. and McLaren, R. C. Police Administration. 3rd ed. New York, McGraw-Hill (1972).

Wilson, O. W. Police Planning. 2d ed. Springfield, Illinois, Charles C. Thomas (1957).

Leonard, V.A. Police Organization and Management. Brooklyn, New York: The Foundation Press, Inc., 1964.

Iannone, N.F. Supervision of police personnel. Englewood Cliffs, New Jersey. Prentice-Hall, Inc. (1970).

Kelly, James A.F. Police Reference Notebook, Section Eleven, Supervision. Professional Standards Division, IACP, Gaithersburg, Maryland, August 1971.

Also, both the International Association of Chiefs of Police and Northwestern University publish training and reference material on command and supervisory functions in police traffic services. These undergo frequent revision and updating. The leader can obtain current lists of such documents from those organizations.

It is useful to have access to a copying machine to reproduce copies of the solution(s) for each participant.

UNIT 12. CASE STUDY INTRODUCTION AND POLICY-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(--) 0:10	INTRODUCTION	
	1. Indicate that the case study is the main feature of this unit. The Participant's Manual includes the case study narrative as well as a description of how it will be used.	
	(The case study narrative is also reproduced here immediately following this outline, p. 132.)	
	2. The case study is a vehicle for learning.	
	a. there is no "correct" solution	
	b. the means of solving the case study is left to the choice of the participants	
	c. the participants will pool their knowledge and experience to relate the facts that have been presented here to the case study.	
	3. The case study will be initiated in this unit and completed in three subsequent units (Numbers 14, 18 and 20).	
	NOTE: The case study can be approached by the class as a single group working together, by dividing the class into small groups of 4 or 5 members each or as an individual exercise. A group approach appears to be the most useful because:	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. each participant can be involved to share and to interact with the group . less time is required to discuss one solution (or a few) than to discuss one solution for each. However, the leader should feel free to adapt the suggested technique to his own situation. He must keep in mind that the case study is a learning experience for the participants and not a means of presenting a technique of problem solving.	
	4. Remind the participants that the scope of this unit is limited to policy-related factors and recommendations.	Refer back to material covered in Unit 11.
	5. Policy is defined in different ways and takes different forms in various agencies. The 1974 Manual for MODEL POLICE TRAFFIC SERVICES POLICIES produced for the U.S. Department of Transportation (NHTSA) defines policy as follows: "Policy consists of principles and values which guide the performance of a	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	department in a particular situation. It is a statement of guiding principles which should be followed in activities which are directed toward the attainment of department objectives. Policy is formulated by analyzing objectives and determining through research those principles which will best guide the department in achieving its objectives. Policy is based upon police ethics and experience and desires of the community and the mandate of the law. Policy is articulated to inform the public and department employees of the principles which will be adhered to in the performance of the law enforcement function. Additionally, policy establishes operational standards to assist department employees in the necessary exercise of discretion in discharging their responsibility. An officer in the performance of his duty is confronted with an infinite variety	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	of complex situations which require policy action. Since policy is objective rather than situation oriented, it is broad enough in scope to encompass most situations. Policy, therefore, must be stated in general terms." Experience has shown that a DWI policy includes the following features: . A *definition* or statement that identifies the subject to be addressed. . A statement of *scope* that identifies those persons, places or times affected. . The *problem* to be addressed. . The means, *efforts or resources* that will be used to address the problem. . The *priority* assigned to the problem. . The *goals* to be achieved by policy implementation, including broad monitoring or evaluation criteria.	

UNIT 12. CASE STUDY INTRODUCTION AND POLICY-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:10) 0:05	INITIATE CASE STUDY 1. At this time the leader should describe the specific procedures he wishes the participants to follow. As indicated above, the exact procedures will be chosen by the leader. However, whatever approach is used the leader must: a. be certain that all participants take part in the exercise b. attempt to elicit a solution that is original with these participants c. insist upon a written solution (or summary) that can be distributed to each participant for the discussion period and his own record. 2. Assign the groups if that approach is used and indicate that he (the leader) is available throughout the case study as an information source or a discussant. (If an individual or small group approach is used, it is desirable to provide separate work stations.) 3. Refer participants to pages 16 through 22 and 58 through 61 of Appendix A.	

UNIT 12. CASE STUDY INTRODUCTION AND POLICY-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:15) 0:60	CASE STUDY SOLUTION During the development of the case study solution, the leader should be available for the entire time--going from group to group if more than one is used. His role should be basically as a source of information from the research studies. He should enter into discussion if requested or if he becomes aware that an impass is developing or that the group is being diverted.	
(1:15) 0:45	PRESENTATION AND DISCUSSION OF SOLUTIONS 1. The solutions should be reproduced and distributed to each participant if possible. 2. If more than one solution has been generated, a spokesman should briefly present each solution to the group, telling how it was developed. 3. The leader should initiate discussion by first asking for any dissenting viewpoints and use that as a departure point for discussing the suitability of the content and format of the submitted solution(s). 4. The leader should review the following items to verify that the solution is complete.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	a. were all relevant factors considered · alternatives · priorities · standards · etc. b. is the statement explicit enough to be understood--not simply a statement of purpose c. is responsibility established for promulgating the policy for ensuring that it is followed. 5. If time permits, a summary statement can be made. It is a good exercise to request a participant to summarize. Volunteers can be requested, but it is usually a better practice to request an individual. 6. Although there is no "correct" solution, the instructor should review each policy statement for the following: a. a definition that identifies the subject of the policy b. the scope of the policy.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	c. the problem to be addressed	
	d. the means, efforts or resources to be used	
	e. the priority assigned	
	f. the goals to be achieved	
(2:00)		

Case Study Narrative for Use in Units 12, 14, 18 and 20

Introduction

The following narrative is of a hypothetical situation. It describes, however, a realistic situation that could be encountered in any department and it is quite likely that many persons could recognize very similar situations in their own experience. In order to complete the case study exercise within the allotted time, this narrative includes only the essential information. In real life the police officer called upon to deal with the situation described here would have much more detailed information and by being a part of the situation, would have a more personal, intuitive knowledge of the events and their impact on the community and department. It is completely impractical even to attempt to duplicate that detailed and close association within a written narrative.

The characteristics and the events that are described in the narrative are sufficient to identify the need for actions such as are recommended by the research studies. In addition, it is hoped that there is enough detail to stimulate each participant to think of all the factors that affect the arrest decision and of the ways that he in his own experience would cope with these factors.

Some factual data has been omitted from the case studies. These data should be completed by the instructor so as to approximate actual conditions in communities where participants are employed.

NARRATIVE

Part 1 for use in Unit 12. Case Study: Policy Related Activity

In this narrative we are asking you to assume the role of a newly appointed chief of police. The city that your department serves has approximately _____ population. The police force consists of about _____ sworn personnel. The city is an industrial center and is made up of several sections that range from the wealthy, predominantly white suburbs to inner-city areas housing a substantial number of poor, non-white families. There are also commercial areas that include the downtown shopping area as well as suburban shopping centers. There is also, of course, an industrial area. There are many small neighborhood drinking establishments in the industrial area and the adjacent working class neighborhoods. On the perimeter of the suburban residential areas there are several restaurants and nightclubs which dispense liquor.

The city is managed by a City Manager reporting to an elected council. There appears to be no unusual incidence of crime or of traffic accidents. However, the Council is of the opinion that traffic accidents are increasing.

The department includes a Traffic Division which functions mainly in the downtown area and also includes a Patrol Division which has the responsibility for traffic functions as well. There is no program of countermeasures for alcohol-related offenses.

On a week-end in late summer, just after 0100 Sunday, a patrol car answers a call from the scene of a one-car accident. The accident occurred on a road leading to one of the suburban residential areas. The vehicle apparently left the road at a high rate of speed when the driver failed to negotiate a curve. A young male about 25 years of age is pinned in the car, which apparently overturned and is extensively damaged. He apparently was the driver of the vehicle. A female about the same age was apparently thrown from the vehicle in the impact and lies unconscious or dead about 30 feet from the wreckage of the car. There is a moderately strong odor of liquor in the vicinity of both the driver and the passenger. The patrolman calls for assistance and carries out his prescribed duties. His investigation produces evidence that the vehicle was traveling at a high rate of speed and that the driver and his passenger had attended a party in the neighborhood, leaving just a few minutes before the crash was heard. The driver was critically injured and hospitalized. The female passenger was dead on arrival at the hospital.

The fatal accident is given a considerable amount of attention in the media. Initially, the focus of this attention is on the problem of alcoholic abuse, but as reporters carry out their investigation, they become aware of the following:

- There is no alcohol countermeasures program in the department.
- There are no special policy statements or directives to the patrolmen concerning DWI.
- Accident statistics, particularly with regard to alcohol-related offenses, are not easily obtained nor are they particularly clear; however, it appears that your community has a higher rate of alcohol-related accidents than other nearby cities and throughout the state in general.
- There is apparently a low rate of enforcement for alcohol-related offenses.
- Officers on the department indicate that they are unsure of what the administration expects relative to DWI enforcement, and have by tradition, relied heavily on alternatives to arrest.

As these facts are revealed, the focus of the media's attention shifts to the department and its role in alcohol-related enforcement. A pressure quickly builds for the police department "to do something about the drunk driver."

The City Council now directs you to develop a policy concerning alcohol-related offenses. You are asked to produce a policy statement along with a brief overview of how it will be communicated to personnel of the department, and how you will ensure that it is carried out.

(Note: This is the end of Part 1 of the narrative which relates to Unit 12. You should begin now to develop the solution required by that Unit.)

Allotted
Time
1:00

Unit 13. Operations-Related Factors and Recommendations

The organization of this unit is the same as that of Unit 11. The basic objective is to develop information for the continuation of the case study. The information is that which relates to operations (or enforcement).

The specific training objectives are:

- To identify the research results (factors and recommended actions) that relate to operations
- To practice enforcement planning in the context of the case study narrative.

References and Special Material

Basic reference material is in Appendix A (pp. A22-29 and 61-66).

Additional guidance can be found in the STEP Manual and the report on PTS Procedures listed in the bibliography.

UNIT 13. OPERATIONS-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	OPERATIONS-RELATED FACTORS	
	1. Factors of significance here are of two kinds: those that directly relate to operations (such as the negative effect of lengthy procedures and those that should be considered in operational planning and implementation (such as age and experience of officer).	Relate the factors presented here back to Units 4 and 5 where they have been presented as study results
	2. Factors do not relate exclusively to one area; therefore, some factors will appear in more than one area of recommended actions.	
	3. Specific operations-related factors that have a direct effect are: a. Length of processing procedures. b. Schedule of duty shift (relative to occurrence of alcohol-related offenses). c. Court appearances and scheduling of cases. d. Acceptability of alternatives to arrest. (In other words, does the department condone alternatives?)	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	4. Factors that relate to planning and implementation, particularly manpower assignment.	
	a. Patrolman's age and experience and his personal use of alcohol.	
	b. Patrolman's level of training and specialization.	
	c. Specialization in duty assignment.	
(0:05) 0:05	GENERAL RECOMMENDATIONS	
	1. In general, the recommended command and supervisory actions are intended to reflect the department's commitment to alcohol-related enforcement. That is, to enact the commitment and priority stated in the policy.	
	2. The recommendations also include endorsement of efficient procedures, as well as specialization in assignment, and the use of improved investigative and scheduling techniques.	
	3. A basic recommendation is to develop an alcohol information system for effective planning and performance review.	
	4. Operations planning and implementation must recognize the effect of "personal" factors.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:10) 0:10	ALCOHOL-RELATED MANAGEMENT INFORMATION SYSTEMS 1. Both research studies concluded that a basic need is for an information system that would help: a. To identify the nature and extent of the DWI problem in a community. b. To deploy personnel resources. c. To evaluate the effectiveness of DWI enforcement activity. 2. The system can be as sophisticated or as simple as the size of the department dictates. It can very effectively be a completely manual system of record cards and files. If data processing is available, it can be helpful, especially in analyzing trends of violations and enforcement. Whatever its form, the system should include at least the following: a. Accident reports that indicate whether or not drivers had been drinking or were intoxicated; the cause of the accident; whether alcohol had contributed to the cause	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	and whether or not DWI arrests resulted from the accident investigation. b. Statistical summaries of the locations of alcohol-related accidents as well as time, weather and other special conditions. c. Arrest reports should show the time and location of the arrest. They should include the place where the suspect had been drinking and indicate the extent of driver's impairment (the observed effects on driving and behavior, as well as test results). d. Summary arrest statistics should identify the locations where suspects have been drinking and the time and location of arrests.	
	3. Some suggested uses of the information system include: a. Problem identification by means of continual monitoring of summary statistical reports: . Total accidents involving alcohol . Accidents caused by alcohol	The leader should present these uses briefly and defer detailed consideration to the Discussion

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. Trend of alcohol-related accidents over time . Trend of alcohol-related accidents in similar communities, adjacent communities, statewide and nationally b. Deployment of resources for DWI enforcement based on: . Historical locations and times of alcohol-related accidents . Locations where previous DWI suspects had been drinking . Descriptions of driving impairment that will help identify a DWI suspect c. Evaluation of DWI enforcement programs to include: . Own projections based on past accident rate . Changes in similar or adjoining communities and in state	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:20) 0:10	ALCOHOL-RELATED ENFORCEMENT PROGRAMS 1. Programs should be efficient (current techniques, shortened procedures). Specialized and dedicated patrol units should be considered. 2. However, no specific program can be recommended for universal use. The program must be tailored to each department's needs. (Note that need is made evident through the information system and that the program should be directly responsive in terms of scheduling, location, amount of resources, etc.) Some general guidelines include: a. Program supervision should be full time and on the same duty shift as the enforcement unit. The supervisor should be "on the street." The supervisor should be trained to be an effective communication link between subordinates and the administration and should be able to evaluate patrol performance effectively and fairly. b. Personnel selection must be based on the personal and attitudinal factors identified in	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	these studies. (Refer to Unit 5--factors can be briefly enumerated again.)	
(0:30) 0:30	DISCUSSION 1. This part of the unit has two objectives: to insure that the operations-related results and recommendations are understood and to provide a means for relating the results to each participant's own department and needs. 2. Discussion will probably be spontaneous, but if stimulation is needed, the leader should question the group about existing information systems. a. Do you have one? b. Is it formalized? c. What does it look like? (Attempt to develop the idea that any means of storing and retrieving data--even human memory--is a "system." But, formal, organized systems with available records and summaries function better to pinpoint enforcement needs and performance.)	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3. Discussion of specific enforcement features should be directed at the specific needs and departments represented. The leader should be sure to:	
	a. Involve all participants	
(1:00)	b. Evaluate the discussion for evidence of understanding	
	The information presented in this unit will be applied to the continuation of the case study that was initiated in the discussion of policy.	

Allotted
Time
1:30

Unit 14. Case Study: Operations-Related Activity

This unit is a continuation of the case study problem that was started in Unit 12. The basic guidance and references cited for that unit also apply here. In addition, the references cited for Unit 13 (the preceding lecture/discussion) also can be applied in doing this unit.

The specific objective for this unit is to provide practice in operational planning.

UNIT 14. CASE STUDY: OPERATIONS-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	INTRODUCTION 1. This is a continuation of the problem-solving case study that was started in Unit 12. 2. The basic goal continues to be to simulate the real-life use or application of the recommended actions. 3. Operations is defined to mean the implementation of policy in terms of an enforcement plan. 4. The case study narrative specifies a "specialized" enforcement unit simply to bring more of the recommended actions to bear. If the case study were a real situation, a non-specialized plan may have been selected.	Narrative is continued on p. 148.
(0:05) 0:55	CASE STUDY SOLUTION AND PRESENTATION Although there is no "correct" solution to this case study, the instructor should review each to ensure that the following areas have been addressed: 1. The development of an alcohol-related management information system a. that provides data on the times and locations of alcohol related traffic accidents	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. that provides data on the times and locations of alcohol related traffic enforcement c. that provides comparative data for evaluation and trend identification. 2. The selection of specialized DWI enforcement personnel: a. volunteers b. traffic enforcement experience c. history of successful DWI enforcement d. positive attitude toward DWI enforcement e. self confident f. all should receive training 3. The provision of proper supervision a. full-time supervisor b. assigned to same duty hours as subordinates c. supervisory training should be provided. 4. The assignment of specialized personnel a. to duty hours that coincide with alcohol related accidents b. to locations where alcohol related accidents and DWI violations are prevelant	

UNIT 14. CASE STUDY: OPERATIONS-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	5. The streamlining of arrest and processing procedures: a. impounding of arrestee's vehicle b. transportation of arrestee c. obtaining breath or blood samples d. booking procedures e. required paperwork and reporting forms	

Part 2 for use in Unit 14. Case Study: Operations-Related Activity

The policy documents you produced have been reviewed and approved by the city manager. The manager passed the documents on to the Council which has also reviewed them and being in general agreement has asked the department to present a more detailed plan for alcohol-related enforcement and to present this plan at the next Council meeting. You have been asked to take on this assignment and they have requested you to design a specialized program for the department, including the assignment of a small unit with sole responsibility for DWI enforcement. They ask you to be prepared with plans for the deployment of men and cars for this program and with information about how you intend to select, supervise and control personnel. They are also interested in knowing about additional training or other features that might represent additional cost.

(Note: At this point you should begin to develop the solution required for Unit 14. Obviously you do not have sufficient detail to prepare a complete plan of deployment. You should in that regard, concentrate on the principles you would follow in your planning.)

Unit 15. Second Controlled Drinking Demonstration

If a second demonstration is conducted, the outline of Unit 8 should be followed. However, it is not necessary to repeat the presentation on the nature and effects of alcohol. A film could be shown in the time that would otherwise be devoted to the presentation.

Unit 16. Review of Second Controlled Drinking Demonstration

If needed, the outline for Unit 10 should be used here. If no second demonstration was conducted, the schedule can be advanced and Unit 17 started at this time, or the time can be devoted to a review and discussion.

Allotted
Time

Unit 17. Training-Related Factors and Recommendations 1:00

This unit is a continuation of the presentations (and discussions) in Units 11 and 13. The basic objective of these units is to develop information for use in the case study. For this unit the information is that which relates to training.

The specific objectives of this unit are:

- to identify the research results (factors and recommended actions) that relate to training
- to practice the identification of training needs in the context of the case study narrative.

References and Special Material

Basic reference material is in Appendix A (pp. A-30-38 and 68-70).

No other special references are required but the basic information on training in the IACP Supervisor Notebook and in the Alcohol Enforcement Countermeasures Instructor's Manual (see Bibliography) will provide good background.

UNIT 17. TRAINING-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	BACKGROUND 1. Many of the factors that relate to patrolmen's knowledge of alcohol-related offenses and enforcement and the attitudinal factors indicate a need for training. 2. It was also evident in both studies that the better trained officers were generally higher enforcers. 3. Thus, the factors associated with training do not suggest specific needs. Rather, the implication is for more and specialized alcohol training and for training about the attitudes and factors that affect the arrest decision.	
(0:05) 0:05	TRAINING-RELATED FACTORS 1. Lack of knowledge--or full appreciation--of the relationship between alcohol and intoxication was observed. It is reasonably widespread and is associated with law enforcement rates. 2. In contrast, specialized training was associated generally with high enforcement rates.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3. Attitudes concerning: . importance of alcohol-related enforcement . sympathy with an alcohol-related offender . treatment of well known persons all lead to law enforcement. They can be affected by training.	
	4. Supervisors also require specialized alcohol training and need to be aware of the factors that affect patrolmen in order to develop a higher rate of enforcement.	
(0:10) 0:10	RECOMMENDED ACTIONS	
	1. Provide basic training in the total alcohol enforcement process and the role of the patrolman.	
	(Note: The U.S. DOT Training Course--DWI law enforcement training--provides such training. The leader should review the Planning Guide or Instructor's Manual for this course. See Bibliography for source.)	
	2. Specialized training in alcohol and intoxication, breath analysis, detection and investigation should be provided. The course cited above encompasses most of these areas. The IACP	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	and Northwestern series include special pamphlets. Also, U.S. DOT Training Courses for *Police Traffic Services* and *Breath Examiner Specialist* are available. 3. Command and supervisory personnel need to be able to identify their needs and then locate sources. 4. Patrolmen should be made aware of the factors identified in these studies, and continuing training to counteract the factors should be initiated. 5. Programs for command and supervisory personnel need to be developed and implemented. Especially: knowledge of the factors, knowledge of the total enforcement process, and appropriate management actions.	
(0:20) 0:10	DEVELOPMENT OF TRAINING 1. Begins with identifying needs. Compare the study results to own community and department. 2. Identify deficiencies and special situations, e.g., what is the average age of department? what do the study results suggest? Also, consider present training program and its usage.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3. The need for training, in general, is clear. The specifics are to be determined by each department using the results of the two studies as a departure point.	
	4. U.S. DOT courses are available from the U.S. Government Printing Office in Washington, D.C. Also, the Governor's Highway Safety Representative in each state will have information about these courses. The basic course (DWI law enforcement training) can be used in total or parts can be used to satisfy local needs for special training in detection or investigation, for example.	
(0:30) 0:30	DISCUSSION	
	1. In this discussion the most important objective is to underline the need for training generally. Next, the objective is to help each participant begin to analyze his own department's needs.	
	2. Specific training programs are described in pp. A-30-38 and 68-70 of Appendix A. These have been derived from the study results and should be used by the leader to help	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(1:00)	stimulate discussion and to identify specific needs. ------- The next workshop session is a continuation of the case study in which the objective is to describe training needs implicit in the case study narrative and the planning that has been done by the participants.	

Allotted
Time
1:00

Unit 18. Case Study: Training-Related Activity

This unit is a continuation of the problem solving case study that has been worked on in Units 12 and 14. The organization and general approach are the same as has been established for those units.

The objective of this unit is to provide practice in the identification of training needs within the context of the case study narrative.

The references cited for Unit 17, the preceding lecture/discussion unit, apply here also.

UNIT 18. CASE STUDY: TRAINING-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	INTRODUCTION 1. Briefly review where the group is in the problem-solving case study. 2. Indicate the special training needs identified in the research studies. 3. Basic goal continues to be to simulate a real-life environment and actions.	Narrative is continued on p. 160.
(0:05) 0:30	CASE STUDY SOLUTION 1. The problem-solving will be carried out as it has been in the two previous case study units. The leader will be available to discuss and help the problem solving process but will not offer any "answers."	
(0:35) 0:25	PRESENTATION OF SOLUTION Once again, there is no "correct" solution to this case study. The instructor should, however, review each to ensure that the following areas have been addressed: 1. Basic training for all patrol and traffic personnel a. relationship between alcohol and legal or physical impairment	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. state and local traffic law and court procedures	
	c. breath testing equipment usage	
	d. detection and investigation of DWI violations	
	e. processing DWI arrestees (including female prisoners)	
	f. departmental DWI policy	
	g. factors influencing officer's DWI decisions	
	2. DWI enforcement specialist training	
	a. DWI enforcement operations	
	b. the police responsibilities in the adjudication and sanctioning process	
	c. DWI policy and objectives	
	d. breath examiner specialist training	
	3. Supervisor training	
	a. personnel monitoring and evaluation	
	b. techniques of supervision and motivation	
	c. factors influencing officer's DWI decisions	
	d. community DWI problems and community relations	
	e. use of alcohol related information system.	

Part 3 for use in Unit 18. Case Study: Training-Related Activity

The planning information you presented at the Council meeting has been accepted by the Council and you have been instructed to initiate plans immediately. The city manager attended the council meeting and during the discussion of your plan said that he was aware of a source of Government funds to be applied to training of policemen for alcohol-related enforcement. Your manager with the endorsement of the Council has asked you first to develop a DWI enforcement training plan and be prepared to define the required areas of training and to estimate the training hours that might be required for general patrol officers, for specialized DWI enforcement personnel, and for DWI enforcement supervisors. They are initially most interested in knowing the nature of training that you think is required. The Council has, therefore, requested your training plan as the next submission.

(Note: At this point you should begin to develop the solution required for Unit 15. Again, there is insufficient detail for a complete plan. You are asked to develop the concept of a plan and to assume that there has been essentially no specialized alcohol training within the department except for the laboratory technicians.)

Allotted
Time
Unit 19. Communication-Related Factors and Recommendations 1:00

The organization of this unit is the same as that of Unit 11. The basic objective is to develop information for the continuation of the case study. The information is that which relates to communication.

The specific training objectives are:

- to identify the research results (factors and recommended actions) that relate to communications
- to practice identifying the communication needs (the audience, content and means) in the context of the case study narrative.

References and Special Material

Basic reference material is in Appendix A (pp. A-39-47 and 66-70)

The IACP Supervisors' Handbook (see bibliography) contains good background information on the general topic of communications.

Any local plans for public information and education (as might have been developed for an ASAP) can serve as examples for discussion.

The references for Unit 12 (page 122) on police management and administration contain useful information about communications within police organizations.

UNIT 19. COMMUNICATION-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(- -) 0:05	BACKGROUND 1. Communication is a concept that encompasses any exchange of information or of ideas. It includes interaction among elements within a department as well as among the several components that make up the "enforcement system." These components are: the general public, special interest groups, minority groups, the drinking-driver population, the police, the courts and the legislative bodies. 2. The concept, as it relates to inter-department communication is clearly related to training. 3. Communication between police and the other parts of the system, especially the courts, represents a special problem. The studies indicated that generally patrolmen are not pleased with court procedures, nor with disposition of alcohol-related cases. At the same time, judges and prosecutors while aware of the displeasure, are of the opinion that it does not affect the arrest decision.	A chalkboard representation of the "system" is a useful illustration. (See STEP Manual for Alcohol Related Crashes)

UNIT 19. COMMUNICATION-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	4. Public support and legislative action are also requirements for high enforcement and a mutual understanding among police, public and legislative body requires mutual interaction (communication). 5. Both research studies developed recommendations for changes in court procedures and alcohol laws. These recommendations do not directly affect the police commander or supervisor. However, police should be supportive of those recommendations and maintain complete and open communication with the courts and legislatures to facilitate mutual understanding. [Note: Any local plans for interaction between police counts or plans for support of legislation would be valuable illustrations and should be cited at this point.]	
(0:05) 0:10	RELATED FACTORS 1. Patrolmen who are high enforcers believe that DWI penalties are insufficiently severe; those who are low, believe them too tough.	

UNIT 19. COMMUNICATION-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	2. Patrolmen tend to be discouraged from arresting by the fact that as many as one-fourth of the cases end in no conviction.	
	3. Many cases do not come to trial as alcohol-related offenses but are bargained down to lesser charges.	
	4. Patrolmen expressed the need for community support of alcohol-encorcement and also expressed the desire to be responsive to community needs. (However, this factor did not have a demonstrable effect on the arrest decision.) (NOTE: The leader should emphasize here that the studies indicated a need for changes--in courts and laws--but also indicated a need for mutual awareness and understanding. It is this latter need that produces recommended actions for police managers.)	
(0:15) 0:15	RECOMMENDED ACTIONS	
	1. A basic action is to become aware of and understand the problems of other elements of the enforcement system.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	2. Similarly, the police must make the other elements aware of their program objectives and need for support. 3. Good community support is needed. A program of alcohol enforcement must include a community information effort directed at the general public as well as such special groups as the drinking/driving population, alcohol vendors, civic and minority groups. 4. Specific attention must be given to the courts. A mutual, frequently-used communication link must be established between courts and police. Information must include: · understanding of objectives · effect of "inequitable" adjudication · effect of case-load · effect of court appearance procedures (and time required) 5. The court-police communication should also address such issues as: · patrolmen's perceived lack of experience and/or dedication among court personnel	

UNIT 19. COMMUNICATION-RELATED FACTORS AND RECOMMENDATIONS

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. perceived abuse of therapy in lieu of punishment . apparent lack of concern by courts in scheduling police appearances. 6. Specific programs for each of these actions must be designed to the needs of the local department and community. Some suggestions are given on pp. A39-47 and A66-70 Appendix A.	These suggestions should be used to initiate or stimulate the following discussion.
(0:30) 0:30	DISCUSSION 1. The objectives here are twofold: to insure understanding and to provide an opportunity to relate the content to the participants own needs. 2. This discussion may be a difficult one to control because the "problems" identified in the study can be easily identified as problems in other agencies, e.g., "poor court procedures," "lack of legislative support," etc.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	3. In this discussion the leader must acknowledge and allow discussion of these problems, but the intent of this unit is to define the police role in overcoming the problem. The leader should not let the discussion turn simply to anecdotes of bad problems in courts, etc. 4. Direct the discussion to the means for developing mutual understanding and the active roles that command and supervisory personnel must assume. 5. The leader should be sure to involve all participants and to elicit examples of communication programs.	
(1:00)		

Allotted
Time
1:00

Unit 20. Case Study: Communication-Related Activity

The organization of this unit is the same as that of Unit 12. This is the final activity in the problem-solving case study and is intended to provide practice in identifying communication needs within the context of the case study narrative.

UNIT 20. CASE STUDY: COMMUNICATION-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(--) 0:05	INTRODUCTION 1. Briefly summarize status of Case Study solution. 2. Emphasize definition of communication as used in this workshop.	Narrative is continued on p. 180.
(0:05) 0:30	CASE STUDY SOLUTION 1. Review narrative for this unit. Note that the required task is to identify communication needs in terms of: . who is the target . what knowledge or ideas are to be communicated . what means might be used. 2. The objective is to identify these elements by name only. Any more detailed planning is beyond the scope of this exercise. 3. The leader should observe the problem solving process and participate as the need arises. He should not attempt to provide answers.	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
(0:35) 0:25	PRESENTATION OF SOLUTION Here again, there is no "correct" answer. Presented below, however, are some of the areas that might be covered by the class. 1. Who--Members of the department a. what . departmental policy . priority of DWI enforcement . committment to DWI enforcement b. how . staff meetings . departmental meetings . policy statements . written orders . training sessions c. special concerns . administrators should be alert to feedback from members of the department . supervisors should ensure that they transmit policy to subordinates in such a way as to indicate support.	

UNIT 20. CASE STUDY: COMMUNICATION-RELATED ACTIVITY

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	2. Who--general pulblic a. what . the effects of alcohol on driving ability . the nature and objectives of police DWI enforcement activities . the nature and extend of A/R traffic problems in the community b. how . public meetings . lectures and presentations . media advertising . displays at public gatherings c. special concerns . advertising should not create a fear of the police . presentations should generate support for police enforcement activity 3. Who--the potential drinking driver a. what . the nature and scope of DWI enforcement activities	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the availability of treatment programs . the effects of alcohol on the body b. how . media advertising . public meetings . lectures and demonstrations . displays at public gatherings c. special considerations . AA members may be helpful in this effort . treatment agencies may be helpful 4. Who--tavern owners or bartenders a. what . the nature, scope and objectives of the DWI enforcement program . the nature and extent of the A/R traffic problem in the community b. how . direct personal contact . group meetings . personalized correspondence	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	c. special considerations . efforts should be made to ensure tavern owners or bartenders do not feel economically threatened . efforts should be made to ensure tavern owners or bartenders do not feel that they are being "picked on" or abused . efforts should be made to solicit tavern owners and bartenders support in the prevention of DWI violations 5. Who--residents in areas where enforcement activities are concentrated a. what . the nature and reasons for specific police DWI enforcement activities and deployment strategies . the objectives of DWI enforcement activities . the location and extent of A/R traffic problems in the community	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	b. how . public and neighborhood meetings . lectures and presentations . displays at public gatherings c. special concerns . care should be taken to ensure that residential groups do not feel the police are "picking on them" . efforts should be made to ensure that neighborhood group members realize that they may be killed or injured by the DWI violator . neighborhood group members should be encouraged to participate in prevention programs 6. Who--legislators a. what . the need for resources to address the DWI problem . the nature and extent of A/R traffic problems	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the need for legislation to support existing police responsibilities for DWI enforcement b. how . direct personal contact . testimony at hearings or legislative meetings . news released c. special considerations . care must be taken to avoid the appearance that the police are attempting to "make law" . activities should stress the legislative support required to carry out already existing police duties and responsibilities . police groups or associations, such as state or local chiefs' associations may be effective in many of these efforts 7. Who--court officials a. what	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the attitude and perspective that police officers develop as a result of: - inequity in the administration of justice - lack of courtroom respect for police officers - excessive local evidentiary requirements that are not established by law or required in other nearby courts . effect of case load . effect of court appearance procedures . the objective of DWI enforcement activities . the extent of A/R traffic problems in the community . the need for "feedback" to the police concerning court dispositions and reasoning b. how . direct personal contact . group meetings and discussions	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	c. special condiserations . care should be taken to ensure that all local criminal practice components reach a consensus concerning the individual "role" of each . attention should be devoted to ensuring that court officials know the image they have with operational level police personnel . care should be taken to ensure that court officials do not feel that they are being dictated to by the police. 8. Who--prosecutors a. what . the nature and extent of the A/R traffic problem . the need for police input to the plea bargaining process . the impact of case scheduling . the police attitude and concern relative to inexperienced prosecutors	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the need for feedback to the police concerning prosecutorial decisions . the impact of excessive paperwork or reporting b. how . personal contact . group meetings and discussions . establishment of specific communications or reporting requirements c. special considerations . consensus should be reached as to the "role" of each agency in addressing the DWI problem . the police and prosecutors must come to operate as a team . the prosecutor should not feel "pushed" or intimidated by police efforts at communication 9. Who--treatment agencies a. what . the nature and extent of the A/R traffic problems in the community	

Time (Elapsed) Actual	Activity	Instructor Notes and Visual Aids
	. the impact of the image of diversion programs or efforts on police attitudes and operations . the need for police knowledge and training in treatment objectives and programs b. how . personal contact . group meetings and discussions . cross or combined training programs c. special considerations . efforts should be made to develop mutually agreeable goals and objectives concerning official DWI programs and efforts.	

Part 4 for use in Unit 20. Case Study: Communication-Related Activity

Assume now that your plan has been completely prepared and approved and you are to begin implementation. You are aware of the attention that was given to the fatal accident by the media and the resultant response by the Council and city manager. You are preparing now to implement the approved plan.

At this point the city manager is concerned with the communication of the elements of your plan to the members of the police department, the public as well as to any related or affected agencies. The manager expresses his concerns to you and states that funds are available to assist in opening lines of communications both within and outside of the department. He requests that you outline a program for communicating with the appropriate groups. Your outline is to include an identification of these groups, an overview of the types of information that should be communicated, the means of communication and any special considerations involved.

Workshop Summary

There is no guidance offered to the leader for this unit. It is assumed that the leader will be aware of any special needs to be accommodated and will provide a summation and discussion as appropriate.

The leader is urged to look again at the Workshop Objectives (p. 9) to determine that they have been met and to identify areas that might require emphasis at this time.

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APPENDIX A.

Excerpts from Research Studies of Factors Influencing Alcohol-related Arrests

This appendix contains excerpts from the reports of the two studies of factors influencing alcohol-related arrests.

Each excerpt includes a description of how the study was conducted, a summary of the results (i.e., the factors) and a summary of the recommendations for command and supervisory action. If a reader is interested in the actual survey data and the analyses that were performed, he will have to obtain a copy of the full technical report. Instructions for doing this are given below.

One of the two studies was conducted in areas that were not involved in Alcohol Safety Action Programs. It encompassed a representative sample of departments of varying sizes and jurisdictions. Excerpts from the report of that study begin on the following page.

The study report is identified as follows:

> Factors Influencing Arrests for Alcohol-related Traffic Violations, Final Report. Prepared by Dunlap and Associates, Inc., Darien, CT 06820, for the U.S. Department of Transportation, NHTSA, September 1974 (available from National Technical Information Service, Springfield, VA 22151, #PB-237004).

The excerpts from the second study begin on Page A-48.

BACKGROUND AND PURPOSE OF THE STUDY

In recent years, the growing awareness of the drinking driver's role in highway deaths, injuries, and property damage has led to broadly-based countermeasure programs seeking to reduce the incidence of alcohol-related traffic offenses. Such programs, typified by the Alcohol Safety Action Projects (ASAPs) implemented under federal funding, have employed a wide variety of countermeasures in an attempt to achieve this goal. These have included legislation to better define the problem and to facilitate program implementation, public education campaigns, rehabilitation and other treatment modalities, and many other innovative and potentially fruitful activities. Many varieties of such countermeasures have been developed and employed under the auspices of these action projects.

One element that has been common to nearly all countermeasure programs is police enforcement of the drinking-driving statutes. Attempts to increase the level of enforcement have been made, both because of the deterrent effect this is hoped to produce and because of the desire to identify a greater percentage of drinking drivers for treatment and rehabilitation. In many cases, substantial increases in enforcement have been realized. For example, in New Hampshire, State and municipal police forces made a total of roughly 7700 arrests for alcohol-related (A/R) traffic offenses* in 1973, as compared to about 2800 such arrests during 1971, the year preceding implementation of the State's ASAP. In Nassau County, New York, annual A/R arrests increased by roughly 150% during its ASAP's period of operation.

Despite the marked increase in these and other locations, the national level of A/R enforcement is relatively low. One study, for example, has shown that the typical police officer responsible for traffic law enforcement makes about two A/R arrests per year.** Moreover, it is clear that this level of enforcement has not dissuaded commission of A/R violations. Roadside surveys conducted prior to ASAP implementation, for example, showed that nearly one out of twenty drivers on the road on weekend nights exhibits a blood alcohol concentration (BAC) at or above the statutory limit for A/R.***

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* Throughout this report, the term "A/R" is used to denote alcohol-related moving vehicle violations. In some states, this offense is referred to as "driving while intoxicated" ("DWI"), in others as "driving under the influence of intoxicating liquor" (DUI or DUIL) and still other variations in terminology exist in certain locations.

** Borkenstein, R. F., Technical Content of State and Community Police Traffic Services; National Highway Safety Board. Washington, D. C. 1968

*** Alcohol Safety Action Projects Evaluation of Operations-1972; Vol. I Summary; U. S. Department of Transportation, National Highway Traffic Safety Administration, Washington, D. C.

Effectiveness of A/R enforcement relative to its intended deterrent effects thus is open to serious question. It is also evident that the factors contributing to the relatively low level of enforcement must be understood before any improvement can be realized. This study was undertaken in response to that need.

The study's mission was to assess those factors affecting A/R arrests that directly relate to police officers and the environment in which they function. These may include many contributing elements. For example, enforcement of traffic laws and A/R laws in particular may compete with other duties for the officer's time and attention. This may be especially true if the officer serves a high-crime area or in a department which is unable to field a specialized traffic division. This situation in turn could influence the officer's supervisors, the community's officials, and the general public and affect the relative emphasis that they desire patrolmen to devote to A/R offenses. Further, in some cases, A/R offenses may be relatively difficult to detect. The officer must have grounds for stopping the suspect and reasonable evidence of alcohol impairment or intoxication. These may not be obvious in all cases, especially if the officer has not been thoroughly trained in A/R enforcement. Perhaps most importantly, the officer may exercise discretion in this assignment. That is, he may elect to find an alternative to making the arrest, e.g., by ticketing the driver on a lesser charge, arranging for his safe transport home, or simply allowing him to go. The degree of discretion exercised might depend upon the officer's knowledge of and attitude toward alcohol and drinking-driving, and might be a function of the circumstances of the incident and/or the characteristics of the suspect.

The specific objectives of the study were two-fold:

(1) To identify and gauge the importance of factors influencing police officers' A/R arrests--either positively or negatively--with emphasis on those factors that involve the exercise of discretion;

(2) To determine appropriate remedial actions that can decrease the influence of negative factors and increase the influence of positive factors so that a higher proportion of individuals guilty of A/R violation will be arrested on that charge.

The satisfaction of these objectives required the completion of six tasks. These were:

(1) Identification of Potential Factors

Our aim at the outset of the study was to specify all potential sources of influence for the arrest/no arrest decision for which data would be collected and analyzed. Care was taken to avoid prejudgment of the importance of any potential factor to ensure that a comprehensive list would be developed and that no items of interest would be overlooked. The project staff was greatly assisted in this effort by consulting personnel from the New Hampshire State Police and the Nassau County, New York, Highway Patrol. Ultimately, twenty-six (26) factors were identified as the major focal points for the study. These are discussed in Section II.

(2) Selection of Survey Sites

NHTSA required that surveys be conducted at a minimum of ten (10) sites, at least two of which would be states having State Police Agencies, two would be states with Highway Patrol forces, and six would be municipalities representing a wide range of population sizes. Site selection was constrained to avoid areas in which ASAP or similar A/R countermeasure programs were established.* Further, it was desired that the sites, as a group, provide adequate representation of a wide range of agency sizes, crime rates, traffic accident rates, weather conditions, socio-economic levels, and the various regions of the nation.

With these requirements in mind, the project staff identified 33 candidate sites and solicited permission to conduct the survey from the Chief Administrative Officers of their respective police agencies. This solicitation produced a very gratifying response, and 24 of these sites were found to be viable candidates for the survey. Of these, eleven (11) were selected as primary sites, one more than the minimum number required. The "extra" site was a relatively low population municipality. Since the police departments of such communities generally employ relatively few officers, we felt that an additional small town should be surveyed to ensure that the smaller agencies received adequate representation in the data base.

(3) Development of Data Collection Instruments and Procedures

Concurrently with tasks (1) and (2), the project staff began the process of identifying the data required to assess the 26 factors and of developing instruments and procedures for collecting these data. In accordance with NHTSA's desires, data were to be collected from four populations of personnel at each site:

- police patrolmen
- police supervisors (i.e., corporals, sergeants, and higher ranks)
- judicial personnel (i.e., judges and prosecuting attorneys)
- other civic officials

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*It should be noted that NHTSA had funded a previous study of factors influencing A/R arrests in ASAP areas. The results of that study are documented in Report No. DOT-HS-801-151, Factors Influencing Alcohol Safety Action Project Police Officers' DWI Arrests; Arthur Young and Company, 29 April 1974.

Basically similar data were required from all respondents, although certain items of information that pertained only to a particular category of personnel were also identified. Thus, separate data collection instruments had to be developed for each group.

Assessment of factors was found to require both quantitative and qualitative information. The former would permit statistical and other objective analyses of the magnitude of the factor's effects, the latter would provide subjective insights as to "why and how" the factor exerts its influence. In reviewing the data requirements, it was recognized that much of the information sought from police personnel was of a sensitive nature. This seemed especially true of the quantitative data, since each officer would be asked to indicate his own "susceptibility" to each factor, to describe recent A/R situations in which he may have exercised discretion, and to provide certain information on his personal background and habits. The required qualitative data were felt to be less sensitive since they did not focus directly on the officer's own behavior and practices in specific situations.

To minimize the contaminating effects that could arise from the sensitivity of the information sought, it was decided to separate quantitative and qualitative data collection for police personnel. Quantitative data would be obtained through self-administered questionnaires to clearly establish and guarantee the officer's anonymity. Qualitative data, of necessity, would be obtained through face-to-face interviews conducted by members of the project staff--naturally, the staff took care to preserve the anonymity of these data as well. No such separation of quantitative and qualitative data was made for interviews of judicial personnel or civic officials, since the bulk of the data did not relate directly to their practices but rather to their perception of police enforcement. Thus, sensitivity was not felt to be a major issue for those individuals.

Accordingly, the following five data collection instruments were developed:

- Police Patrolman Questionnaire (self-administered)
- Police Supervisors/Administrators Questionnaire (self-administered)
- Personal Interview of Police Personnel
- Judicial Personnel Questionnaire
- Civic Administrative/Legislative Personnel Questionnaire

Copies of these instruments are included in the Appendix to this report. A discussion of the data elements they contain is given in Section II.

(4) Collection of Data

Data collection commenced on 11 March 1974 and concluded on 3 May 1974. During that period, each site was visited by one member of the project staff. Site visits typically were of five or six day's duration.

The specific procedures and schedule of data collection varied somewhat from site to site but generally involved the following activities:

- The staff member first met with the designated liaison officer of the police agency to obtain background data relevant to the site and to finalize any last minute details required to implement the survey.
- Periodically throughout the week, the staff member attended roll call briefings for various squads of officers. After describing the purposes and scope of the study, he issued patrolmen and supervisory questionnaires, as appropriate, to the squad members, remained to answer any questions they might raise, and collected the questionnaires upon their completion.
- At the close of such role calls the project staff member, with the consent of the squad supervisor, selected one or two of the attending patrolmen for personel interviews. These interviews usually were conducted in squad cars during routine patrol tours.
- Periodically throughout the week, the staff member conducted personal interviews with one or more judge, prosecuting attorney, and civic official. Police personnel were instrumental in making the necessary arrangements for these interviews.

Through these procedures, the following data bases were compiled:

- police patrolmen -- 255 questionnaires
  69 personal interviews
- police supervisors -- 74 questionnaires
- judicial personnel -- 12 questionnaires, for judges
  14 questionnaires, for prosecutors
- civic officials -- 6 questionnaires

During the same period and under a separate contract to NHTSA, Dunlap and Associates, Inc., conducted a series of instructor training institutes for a curriculum package on Crash Injury Management. Most of the enrollees at these institutes were police officers, including both patrolmen and supervisors. They provided an additional source of quantitative data, and produced 12 patrolman questionnaires and 11 supervisory questionnaires.

(5) Analysis of Data

In preparation for data analysis, all personal interview responses were compiled into a single set on a question-by-question basis and were exhaustively reviewed to determine the various points of view expressed and the numbers and types of individuals who shared each view. In reviewing the qualitative data, emphasis was placed on identifying the full range of views and opinions expressed, and the reasons why these were held, rather than on precisely computing the percentage of respondents who shared a particular view. Quantitative data were reduced to punched-card format for automated processing and precise statistical analysis.

The analysis proceeded in three stages. First, based upon the number of A/R arrests they reported during the 12 months preceding the survey, patrolmen completing questionnaires were grouped into four categories:

- Those who made no more than 1 arrest	(75 officers)
- Those who made between 2 and 5 arrests	(77 officers)
- Those who made between 6 and 15 arrests	(62 officers)
- Those who made at least 16 arrests	(53 officers)

They were then compared on the basis of various site and personal background characteristics to identify preliminary trends that might suggest important differences between "low" and "high" enforcers. Results of this stage are given in Section III.

Next, the most recent A/R arrests reported by the officers were compared with their most recent A/R investigations that did not lead to arrest. This was undertaken to determine whether situational circumstances tended to distinguish "arrest" from "no arrest" decisions. Results of this stage are also presented in Section III.

These first two stages can be considered preliminary analyses. They dealt solely with a subset of the factual (or historical) data reported by patrolmen and did not consider any of the attitudinal information or subjective data that might bear on the various factors of interest. Assessment of these latter data constituted the third stage of analysis, which was the most extensive of the three. It was primarily on the basis of the third stage that conclusions concerning the magnitude and importance of the factors were drawn. These results are given in Section IV.

(6) Development of Suggestions for Remedial Action

Inputs to this task consisted of the findings developed through the data analysis described above and the suggestions for treating various factors that were solicited from the patrolmen surveyed. These data were presented to a review panel serving as consultants to the project. The panel members included police personnel and Dunlap staff members experienced in drinking-driving countermeasure programs.

After reviewing the findings the panel members developed suggestions for treating the various factors. The panel then met to extensively discuss all suggested approaches. This led to more detailed definition of potential actions to be taken, and, ultimately, a final set of recommendations representing the consensus of the group. These recommendations were compiled into topical groupings, and are presented in Section V.

SUMMARY OF RESULTS

This report describes a study of factors influencing Alcohol-Related (A/R) arrests that was based on a survey of police and other personnel at eleven locations throughout the nation. Its purposes were to identify variables that affect the arrest/no arrest decision, either positively or negatively, and to develop suggested remedial actions for treating those variables so that a higher level of A/R enforcement might result. The major conclusions of this study are listed below.

The officer's age and experience play a role in his A/R arrest decisions. Younger officers, and those with relatively few years of seniority, tend to have a more positive attitude toward A/R enforcement and make more arrests on that charge than do their older peers. This result was found to hold true regardless of the type of department in which the officer serves or the specific type of duty to which he is assigned.

The officer's personal use of alcohol is inversely related to his level of A/R enforcement. Patrolmen who drink make significantly fewer arrests than those who do not, and those who drink frequently make significantly fewer arrests than those who use alcohol only occasionally.

Lack of knowledge concerning the relationship between alcohol and intoxication is widespread among police officers, and imparts a negative influence on A/R enforcement. Most officers underestimate--often by a wide margin--the amount of alcohol a suspect would have to consume in order to achieve the statutory limit of blood alcohol concentration. This seems to induce a tendency among many officers to identify and sympathize with the suspects they encounter.

Specialized Training has a strong positive influence on A/R arrests. Patrolmen who have received instruction in the operation of breath testing devices and/or in A/R investigation techniques make significantly more arrests than those who have not had such training. However, many officers charged with A/R enforcement--particularly in municipal departments--were found to lack this specialized training.

Specialization in duty assignment can also enhance A/R enforcement. Patrolmen assigned to traffic divisions, in particular, produce higher arrest rates than those charged with general patrol duties.

The officer's perception of the importance of A/R violations affects his arrest/no arrest decisions. Significant differences in this perception were found between "low" and "high" enforcers of that offense. However, there is little or no evidence that these differences stem from any lack of awareness of the causal role of drinking-driving in highway accidents. Rather, some officers seem to believe that A/R enforcement, while important, is no more so than many other duties they face, and

so they do not devote special emphasis to it. Conversely, the "high" enforcers tend to be those who believe the offense warrants high priority.

A generally sympathetic attitude toward A/R suspects is held by a substantial proportion of officers, and has a negative impact on arrests. Most patrolmen, for example, believe that practically anyone who drinks will violate A/R laws on occasion, and that a driver need not be very intoxicated in order to be guilty of that offense.

Officers' perceptions of the penalties for A/R violations have a bearing on their levels of enforcement. "High" enforcers tend to believe these penalties are insufficiently severe, while "low" enforcers seem more concerned over the effects these penalties will have on a suspect and his livelihood.

Numerous alternatives to arrest may be available in A/R situations, and these meet with the approval of many officers. Most importantly, it is the "low" enforcers who seem most willing to take one of these alternatives in lieu of making the arrest.

A particularly important alternative to arrest is available when a sober, licensed driver is a passenger in the A/R suspect's vehicle. Patrolmen will frequently avoid the arrest by insisting that such passenger drive the car. This alternative was chosen by the patrolmen surveyed in two out of three of the no-arrest incidents in which a licensed passenger was present.

Near the end of the duty shift, A/R investigations decrease substantially. This is particularly true in departments that have adopted relatively time-consuming procedures for processing A/R arrests. This fact has an especially important effect on the arrest/no arrest decision since the evening shift typically terminates during one of the peak time periods of A/R violations.

The suspect's degree of intoxication is often taken into account when the arrest/no arrest decision is formulated. "Low" enforcers in particular will often avoid the arrest if the suspect seems only "slightly" too intoxicated to drive legally. Unless it seems clear that the suspect's BAC is a good deal above the presumptive limit, the arrest very likely will not be made.

Weather conditions also affect A/R arrests. There is encouraging evidence that foul weather has a positive influence on the attitude of many officers: they are more appreciative of the risk posed by an A/R suspect when driving conditions are hazardous, and are less likely to avoid the arrest when those conditions prevail. However, foul weather also tends to increase the difficulty of detecting A/R suspects and creates additional demands on the officer's time and attention.

The suspect's attitude can have a strong influence on the arrest/no arrest decision. If the suspect proves uncooperative or argumentative, a positive influence for arrest results. Conversely, the likelihood of arrest decreases when the suspect seems cooperative.

The suspect's race is a key distinguishing characteristic in A/R cases. The officers surveyed--the overwhelming majority of whom were white--reported releasing significantly more non-white suspects than they arrested. The data do not suggest that this reflects a greater tendency to exercise discretion when dealing with non-white drivers. Rather, the officers seem more willing to initiate an investigation when the suspect is not of their own race.

Suspect's age is another distinguishing characteristic of these cases, and patrolmen reported releasing significantly more young (age < 30) suspects than they arrested. This appears to stem from two distinct causes. First, young officers exhibit more sympathy for young suspects, i.e., seem less disposed to arrest a driver of their own age group. Second, older officers seem more willing to stop young suspects, i.e., are more likely to conduct an investigation when the driver is young, even if the evidence of A/R violation is not clear cut.

Suspect's sex also plays a role in the arrest/no arrest decision. Patrolmen seem more reluctant to arrest a woman for A/R violations, largely because processing of a female arrestee is generally more complex and time consuming.

Accident-involvement in A/R cases has a strong positive influence on the arrest/no arrest decision. The occurrence of an accident tends to decrease both the opportunity to exercise discretion and the officer's willingness to do so. However, if the A/R suspect is himself injured in the accident, the likelihood of arrest may decrease. The suspect's injury may provide an "excuse" for the symptoms of intoxication and may preclude timely chemical testing of his BAC.

When the suspect is personally known to the officer, a strong negative influence on arrest results. The same is generally true when the suspect is a prominent member of the community.

Court disposition of A/R cases has a generally negative influence on the arrest/no arrest decision. As many as 25% of the A/R arrests reported by the patrolmen surveyed apparently failed to lead to conviction on that charge. Moreover, "low" enforcers have found that significantly more of their arrests fail to lead to conviction, as compared to the "high" enforcers' experience.

Departmental policy concerning A/R enforcement, as implemented by supervisors, can have a strong influence on the patrolman's decisions. When the supervisor manifests a desire for rigid enforcement, his patrolmen produce fairly high arrest rates. Conversely, if the supervisor seems less concerned about A/R offenses, the number of arrests is generally low.

Processing Procedures for A/R arrests have a major impact on the level of enforcement. Patrolmen serving in departments in which these procedures are complex and time-consuming produce fewer arrests, are more negative on enforcement, and are more reluctant to make such arrests, especially near the end-of-shift.

RECOMMENDATIONS

In this section, we suggest steps to be taken to treat the factors that have been found to affect the arrest/no arrest decision. Development of these steps in complete detail may require additional effort beyond the scope of this project. We have attempted to provide as much detail as possible to ensure that such future development proceeds in the proper direction. Certain of these recommendations may also have to be tailored to the particular needs of a given department or community, and we have tried to indicate how they might best be adapted to suit local requirements.

Our recommendations were derived from two key inputs. The first and more important of these were the factors themselves as described in previous sections. The second were suggestions elicited from patrolmen during personal interviews. It is worthwhile to summarize the patrolmen's suggestions before presenting the final recommendations.

Two questions served as the primary means of eliciting suggestions from the interviewees. These were:

> "WHAT, IN GENERAL, WOULD YOU SAY SHOULD BE DONE TO ENCOURAGE OFFICERS TO MAKE MORE DRUNK DRIVING ARRESTS?"
>
> "WHAT DO YOU THINK COULD BE DONE TO INCREASE THE NUMBER OF DRUNK DRIVING ARRESTS?"

The first of these was posed near the beginning of the interview, the second at the end. Because the personal interviews were relatively lengthy, two hours or more often elapsed between these two questions.

While not all patrolmen offered suggestions in response to these questions, most did--and many offered several. These are compiled below in the order of decreasing response frequency.

Establishment of Uniform Adjudication

Twenty-seven (27) responses were received that called for elimination of judicial discretion. These officers urged a cessation of plea bargaining and the perceived differential treatment by courts of "average" and "influential" citizens. They desire fair, uniform treatment of A/R defendants as a means of ensuring that their arrests will more often lead to convictions.

As noted previously, we must bear in mind that it is the "high" enforcers who most frequently take this view. The officers who are most concerned about the absence of uniform adjudication tend to be those who are best motivated to make A/R arrests. Nevertheless, this suggestion should be heeded to the maximum extent possible, to ensure that their motivation remains high.

Revision of Penalties for A/R Violation

Seventeen (17) responses called for modification of the current penalties. However, there were two schools of thought. Eleven urged stricter penalties, including jail sentences, increased fines and sterner measures for habitual offenders. The extreme of this viewpoint was given by one officer who suggested enactment of a national A/R law, with adjudication in Federal courts. Six other responses called for reduction of penalties, at least for first offenders. Several officers urged establishment of drinking-driving rehabilitation programs to which a convicted A/R could be "sentenced" in lieu of existing penalties. One even called for total decriminalization of A/R, analogous to the recent trend toward decriminalization of the offense of public intoxication.

Provision of Improved Training for Patrolmen

Sixteen (16) responses were received that suggested improved and more extensive training is required. Most focused on training in the area of detection and investigation of suspected A/R's, i.e., the signs and symptoms of drunk driving and the proper techniques for conducting field sobriety tests. Several urged that training on the Breathalyzer and similar devices should be provided to all officers charged with traffic law enforcement. A few felt that additional instruction should be given concerning the "statistics" of highway fatalities as they relate to drunk-driving.

Only one respondent suggested that training should also address the misimpressions concerning the typical suspect's alcohol consumption currently held by many officers. Nevertheless, it is clearly an important item of information that should be conveyed to as many patrolmen as possible.

Provision of Special Equipment

Fifteen (15) responses dealt with the need for certain equipment to enhance A/R investigations and the construction of the "chain-of-evidence." Six urged development and dissemination of portable, accurate breath testing devices for use prior to arrest. In this way, any doubt concerning a suspect's "legal" intoxication could be dispelled. Nine called for employment of video tape to document the suspect's sobriety tests, attitude and general appearance. Such concrete evidence, they feel, would more strongly convey the merits of the case than would the officer's testimony.

We should note in passing that either or both of these suggestions might require enabling legislation before they could be implemented. However, no respondent specifically called for such legislation as a means of permitting pre-arrest breath testing or the use of video tape.

Revision of Arrest Processing Procedures

Thirteen (13) responses called for a major overhaul of the current procedures associated with an A/R arrest. Major emphasis was placed on the need to minimize the time element, but attention was also called to the voluminous--and often redundant--paperwork resulting from an arrest. There was also some mention of the need to train patrolmen in the proper implementation of these procedures.

Provision of Additional Manpower

Ten (10) responses called for increasing the size of the department to obtain more man-hours of patrol and thus more arrests. Typically, this was cited by officers who offered no other suggestion, e.g., "if you want more arrests, you'll just have to put more men on the force."

Police departments are chronically understaffed, and this fact very likely does tend to depress the total number of arrests made for A/R or most other offenses. However, addition of more men--without any other changes--would not necessarily increase the number of arrests logged by any one officer, i.e., would not improve the average level of enforcement. However, if additional manpower were available for specialized assignment, improvement could be realized. This is addressed in the next suggestion to be discussed.

Establishment of Specialized Patrols

Eight (8) responses urged adoption of modified patrol assignments as a means of enhancing A/R enforcement. The most commonly mentioned technique would employ special squads of officers charged exclusively with A/R enforcement, although a few believed it would suffice to simply revise the duty shift hours to avoid shift termination during the peak time period.

We should also note that several of the officers who made this suggestion indicated they would not relish permanent assignment to such special squads. They pointed out that more frequent A/R arrests would result in more frequent appearances in court during off-duty hours. Also, permanent assignment to A/R enforcement would preclude their participation in the full range of police work, i.e., the assignment would eventually become monotonous and their motivation would suffer.

Provision of Increased Emphasis at the Departmental and Supervisory Level

Eight (8) responses suggested that their superiors must actively emphasize A/R if increased enforcement is to result. Several pointed out that there is no coherent, department-wide policy on A/R. As a result, officers feel they are "on their own," and so develop their own personal A/R enforcement "policy." Two respondents pointed out that existing standards of performance can actually deter A/R arrests. One officer, for example, stated that his supervisor expects him to make a certain number of traffic "contacts" per week (a "contact" may be the issuance of a citation for a moving vehicle violation, assisting a motorist in distress, an accident investigation, etc.). Should he make one or two A/R arrests, he will lose a good deal of patrol time because of the processing procedures, and as a result he may fail to perform to the standard. This officer suggested that the standards should be rewritten, e.g., to treat an A/R arrest as equal to 20 other "contacts."

It must also be reported that six respondents, including two of those calling for increased departmental emphasis, specifically urged that A/R arrest "quotas" not be established.

Acquisition of Increased Public Support

Five (5) responses urged that steps be taken to acquire better public support for A/R enforcement. These officers feel that, while recent public education campaigns have generally helped, even more information concerning A/R and its effects must be disseminated. One respondent voiced the opinion that recent public education campaigns have been misdirected; by concentrating on the "problem drinker," he felt these programs have led the typical drinking-driver to believe that "it's the other guy" who violates the law.

Legislative Revisions

Three (3) responses called for changes in legislation to make post-arrest chemical tests mandatory. One of these officers also urged that "per se" laws be enacted, i.e., to make 0.10% BAC an absolute, rather than presumptive, limit.

In response to our findings and these suggestions, recommendations are developed in the following topical areas:

- Enforcement Policy
- Enforcement Procedures
- Police Personnel Training

- Adjudication System
- Legislation

Each of these is discussed below.

A. Development and Implementation of Enforcement Policy

It is fair to say that there presently exists no formal policy at the sites surveyed that relates specifically to A/R. Policy has been established in other, broader areas in some cases, e.g., for general traffic law enforcement. In some instances, supervisors have taken the initiative of implementing an A/R policy informally. But, patrolmen have been given little formal guidance concerning the relative priority they should devote to this offense; it remains a matter for their own interpretation, and their interpretations vary widely.

If A/R enforcement is considered a high priority item, we conclude that establishment and implementation of a formal A/R policy is an essential and fundamental prerequisite for improved enforcement.

Absence of a specific formal or informal policy regarding A/R enforcement implies either complacency or assignment of a low priority, neither of which encourages enforcement. It is recognized that in some areas A/R enforcement cannot receive highest priority, e.g., areas which have a high crime rate. However, in areas where A/R enforcement is considered to be a high priority item, the Departments must provide clear direction to their men and itemize their expectations, if A/R is to receive the attention it deserves.

While it has been demonstrated that there are a variety of interrelated factors that influence discretion in A/R investigation, none is more fundamental than the priority the Department assigns to this area as expressed through its policy. For example, an individual may be a "high A/R enforcer" who exercises very little discretion because of his knowledge, skill, attitude, etc. However, if the Department deemphasizes A/R enforcement either explicitly or implicitly through formal or informal policy, then the officer has no choice. He must conform and deemphasize A/R enforcement, regardless of his motivation, knowledge and skill. If, on the other hand, the A/R enforcement policy is positive and clearly stated effectiveness will be a function of many other factors.

To repeat, A/R policy is a fundamental and essential prerequisite for improved enforcement. Without an explicit Departmental commitment to a high level of A/R enforcement, it is more or less useless to address the other factors which influence police officer discretion in an A/R investigation.

The key elements we feel are required of a coherent policy are set forth below.

1. Establishment of Standards of Performance

Standards of performance should serve two purposes. First, they should provide supervisors and commanders with a means of evaluating the "productivity" of their subordinates. Second, they should explicitly define for patrolmen exactly what they are to accomplish in order to maintain a satisfactory performance rating. Standards must be quantitatively expressed if they are to serve these ends. For example, it would be totally inappropriate to formulate a standard that simply calls for the patrolman to "arrest every A/R you see." This could not be used for evaluation of his performance, since the supervisor would have no way of telling how many suspects were observed; it would provide no guidance to the patrolman, since it would tell him nothing concerning how hard he is expected to look for A/Rs. A standard such as "make more A/R arrests" would be slightly better, but still insufficient. The patrolman would at least recognize that he is expected to devote increased attention to A/R; but, neither he nor his supervisor could determine how many arrests constitute "more."

One difficulty seems to be that, in the minds of many supervisors and patrolmen, quantitative standards imply arrest quotas. But this need not be the case. Standards can be quantified while retaining flexibility, e.g., by taking into account the patrol hours and locations assigned and the levels of other enforcement activities logged. Further, the standards need not directly address the number of arrests; they could instead focus on the number of traffic contacts to be made, in the expectation that increased contacts will foster increased arrests.

The following are some examples of quantitative standards that could be incorporated into policy relating to A/R:

- Establish requirement for a minimum number of traffic "contacts" per unit time (week, quarter, etc.), with "weighted" values for specific offenses, including A/R. For example, an A/Rs could be assigned a value of "5", a speeding ticket "2", etc. Such standard would provide clear definition of the relative emphasis to be devoted to each offense.

- If portable breath testing devices are to be used for A/R investigations, establish a requirement for a minimum number of tests per unit time. Procedures, of course, should be defined to determine the situations in which such tests are to be administered. This standard would help ensure that borderline cases receive the attention they warrant. In order to evaluate an officer's performance relative to this standard, it would be necessary that all test results be reported to supervisors.

- Establish a requirement for a "target" number of A/R arrests per unit time, adjusted for patrol locations and times. This standard would help ensure that high-incidence A/R places and periods receive intensive surveillance.

- Establish a requirement for an x% increase in the number of A/R arrests that individuals, units, Divisions and/or Departments make per unit of time.

- Establish a requirement that the department maintain at least some minimum ratio of A/R arrests to Alcohol-involved accidents. This would directly relate enforcement to its intended deterrent effects, i.e., if accident frequency increases, so would surveillance and arrests.

In developing a standard, using any of the above methods, care must be taken in determining what is a fair and reasonable number to use for contacts, total arrests percent increase, etc. If such numbers are above what can be achieved, the patrolman will be discouraged and tend to ignore the targets as being unreasonable. If the numbers are too low and easily achieved, they will fail to accomplish the goal of improved A/R enforcement since only a small proportion of the potential arrests will be made.

As in industry or education, norms or performance distributions can be developed by measuring the past A/R arrest performance of patrolmen in the Department or, if that is not representative of "reasonable expectations," determine the performance achieved in other Departments in which circumstances are essentially similar. Industry utilizes such an approach in establishing production standards; educators frequently grade performance by "marking on the curve." Needless to say, such standards must be adjusted to account for differences in priorities and exposure as a function of time and duty assignment.

Each Department should adopt the standards that are best suited to its needs. Whatever form these standards take, they should be quantitative, amenable to evaluation, and well known to all members of the Department. Ideally they should be committed to writing. At the very minimum they should be communicated verbally to the patrolman by his supervisor in a manner which reflects a strong emphasis on A/R enforcement. The patrolman should realize that part of his performance rating will be based on, among other things, his level of A/R enforcement activity. Further, Departmental emphasis on A/R enforcement should be constantly reinforced to avoid having it appear to be a temporary measure to satisfy some immediate need or desire.

Quantiative standards for traffic law enforcement of course are not a new idea. But, though they have long been employed, they have not necessarily always been properly developed or directed; i.e., in isolated instances standards may have been used primarily to generate a steady source of revenue rather than to ensure that proper emphasis is placed on real enforcement needs. Such malpractices have created distaste among patrolmen and the motoring public for anything that resembles quotas. But, we should not permit the occasional misuse of standards to prevent their proper application. NHTSA's Police Traffic Services Handbook for Governor's Highway Safety Representatives * addresses this point as follows: "Notwithstanding occasional invidious comments from the public about 'quotas' and the 'numbers game', the quantitative measurement of traffic citation activity is properly a concern of traffic officer supervisors.... It is reasonable and necessary to look at each officer's productivity and to make comparisons with norms.... Cynicism at the operating level will be minimized wherever traffic law enforcement policies are oriented toward safety and service to the public." We believe that these observations are particularly pertinent to A/R enforcement activities.

2. Establishment of an A/R Enforcement Information System

A formal A/R policy will be of little value unless steps are taken to ensure that it is adhered to. That is, a system for assessing policy needs and evaluating policy implementation must be constructed. This system will require information that will permit police commanders and supervisors to:

- Identify critical-incidence times and locations to determine the most appropriate allocation of resources.
- Establish performance standards for A/R enforcement activity.
- Evaluate the performance of subordinates relative to established standards.
- Monitor enforcement activities to determine influencing factors that should be counteracted.

In constructing such a system, the department must first identify all data required to serve the above and other information needs. Procedures for obtaining those data must be established, and provision must be made for storage, processing, and retrieval. The key point to keep in mind is that an information system is only as good as the data it contains and the personnel who operate it. If certain data essential to an administrative decision have not been collected and stored, the system cannot possibly aid the formulation of that decision, and such "gaps" undoubtedly will occur unless key personnel have been thoroughly trained in the construction and operation of information systems. As an essential first step, then, we recommend that NHTSA or other cognizant agencies undertake the development of guidelines for an A/R information system and a program for instruction of the personnel who will man these systems.

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*Highway Safety Division, International Association of Chiefs of Police; Contract DOT-HS-036-2-404

Each A/R information system naturally must be tailored to the needs of the specific department. Thus, the total set of required data may vary somewhat from one location to another. However, a minimum set of data should certainly be common to all systems. We believe these data would include:

- Comprehensive Record of each A/R Arrest. This would include an indication of the time and location of the arrest and the officer involved, together with descriptive information on the suspect (race, age, sex, etc.); descriptive information on the incident should also be included, e.g., the weather conditions, presence of passengers, accident involvement, type, and severity, etc.; finally, the results of chemical tests should be recorded.

- Record of the Disposition of each A/R Case. This file should be cross-referenced to the arrest records discussed above. It would include the final outcome of the case (A/R conviction, acquittal, nolle prosequi, conviction on reduced charge, etc.), together with an indication of the prosecutor and judge involved.

  These data would enable the system to disclose the case types and circumstances that foster problems in adjudication. This would facilitate discussion between police and judicial personnel aimed at mutual resolution of these problems. The data could also be employed to identify additional training needs or procedural modifications to enhance the quality of arrests involving particular circumstances to ensure a higher rate of conviction.

- Records of Key Types of Motor Vehicle Accidents. One of the primary purposes of A/R enforcement is to reduce the incidence of highway accidents that involve alcohol. Records of these accidents, including their times and locations, provide means of determining the appropriate allocation of patrol resources and of assessing the ultimate effectiveness of the enforcement effort. Naturally, it is extremely difficult--if not impossible--to obtain complete records on all alcohol-involved accidents; some go unreported, and in others an accurate determination of alcohol-involvement cannot be made for various reasons. However, quite accurate records generally can be compiled for two key types of crashes:

  - Accidents in which a fatally-injured driver was found to have been drinking.

  - Single-vehicle, injury-producing, nighttime accidents.

  The first category represents a measurable subset of alcohol-involved crashes; the second is a category which research has shown to include a high percentage (50% or more) of alcohol involvement.

The preceding are representative of the primary types of data required to plan, implement and evaluate an improved A/R enforcement operation. Raw data alone, however, do not provide the information necessary for management decisions. The data must be reduced, organized, analyzed and interpreted properly to serve as meaningful inputs to the management decision process. Entire manuals and books have been devoted to analyses and evaluation of community action projects, e.g., ASAP's. Such detail is beyond the scope of this study. Suffice it to say that, as the information system is only as good as the data it contains, the validity of the findings, conclusions and recommendations developed from the data is correlated with the capabilities of the individuals in the areas of data collection, analyses and interpretation.

Fortunately, much of the A/R management information system requirements can be developed and specified quite clearly using the extensive experience gained through the ASAP's. As indicated previously, it is recommended that NHTSA undertake the development of guidelines for an ASAP management information system. Such guidelines are essential in view of the fact that some departments may be inexperienced in the areas of data collection, analyses and interpretation. Such guidelines should be as specific as possible in indicating what data should be collected when and where, what analyses should be performed and how data should be interpreted.

Without an A/R management information system and guidelines for producing valid and reliable information, command and supervisory personnel have no objective method for assessing the seriousness of the A/R problem, where and when increased enforcement is required, the effectiveness of the efforts undertaken and the performance of individuals or groups. As a consequence, management decisions may appear to be arbitrary and negatively influence an individual patrolman's discretion when conducting an A/R investigation.

3. Formulation of Policy to Address Specific Problem Areas

A general policy on A/R enforcement, incorporating clear standards of performance and an efficient information system, should greatly assist treatment of the factors identified in this study. However, specific policy directives should also be developed that focus directly on certain key factors. For example, each department should develop policies that unambiguously communicate:

- Its concern over, and opposition to, the selection by patrolmen of alternatives to A/R arrests.
- Its commitment to support the patrolmen's arrest of A/R suspects who are prominent members of the community.
- Its desire that the arrest take place whenever there are reasonable grounds to conclude that the suspect is "under the influence", or exhibits a BAC at or above the statutory level, even if the suspect does not appear grossly intoxicated.

Again, these specific policy requirements would not be satisfied by a simple directive to "arrest all A/Rs". Rather, the policy must clearly spell out steps to be taken or avoided. For example:

- "Under no circumstance will an officer release into the custody of a third party a suspect believed to be under the influence of alcohol. No attempt will be made to arrange 'safe transport' for such suspect in lieu of arrest."

- "No suspect believed to be under the influence of alcohol will be afforded 'special treatment' because of his social, political, or other prominence."

Departments should adopt policies similar to these to demonstrate their keen interest in A/R enforcement and to ensure that their men know precisely what is expected of them. All ranks should be encouraged to offer suggestions concerning policy, and in particular to suggest circumstances where specific guidelines are required.

B. Specific Enforcement Procedures

Procedures were found to have an important effect on A/R decisions. At several sites, processing procedures proved quite complex, and induced or increased reluctance to make the arrest. At virtually all sites, manpower assignment and scheduling procedures were not optimally designed for A/R enforcement. Finally, suspect investigation procedures were found to be neither standardized nor well suited to their purpose.

We conclude that improvements must be made in all three procedural areas. Our thrust should be to facilitate the task of A/R enforcement, both to encourage patrolmen to make the arrest and to conserve as much valuable patrol time as possible. To this end, we offer the recommendations given below.

1. Establishment of Efficient Arrest Processing

Time-consuming procedures for processing arrests contribute one of the strongest negative influences on A/R enforcement. Such procedures not only magnify reluctance to arrest, but also seriously depress the maximum number of arrests that any patrolmen could possibly make: at many sites, a single A/R arrest will remove a patrolman from his beat for nearly half of his shift. If a high level of A/R enforcement is to be maintained, lengthy processing procedures cannot be tolerated.

We have found that lengthy processing arises from two major procedural elements:

- The involvement of the arresting officer in all steps associated with "booking" the suspect up to the moment of incarceration.

- A requirement that the arresting officer complete voluminous, and often redundant, paperwork.

We believe that the arresting officer's requirements relative to these two elements could be substantially reduced. First, we suggest that all moderate-to-large sized departments should assign one or more men to full-time A/R processing duties, at least during evening and late night shifts. Arresting officers could "hand over" their suspects to these personnel, thus minimizing the loss of valuable patrol time. Smaller departments might be able to provide this service on a part-time basis, e.g., on weekend nights and other periods of high BAC incidence. Personnel assigned to A/R processing should be certified Breath Examiner Specialists (Breath Technicians).

Admittedly, full-time A/R processing would be a relatively tedious and sometimes hazardous or distasteful duty. For this reason, we suggest that any particular officer should serve in this capacity only for relatively brief stretches of time (e.g., one or two weeks) before being rotated to other duties. Alternatively, officers might serve in this role on a (voluntary) overtime basis, and receive appropriate incentive compensation for this service.

As a second recommendation, we suggest that processing forms be extensively revised. The arresting officer should be required to complete a minimum number of reports, specifically standardized to an A/R arrest, to document the fact that he arrested the specified suspect at the indicated time and location. This report should require an absolute minimum of narrative information; rather, a "check-off" format should be used whenever possible. In particular, the officer should not be required to file formal citations for other moving vehicle violations incidental to the arrest, although a section of the A/R arrest report could be devoted to these companion violations. In effect, the recommended A/R arrest report would be analogous to the standard traffic "ticket" used for other offenses--and should require an equivalent time for completion.

2. Manpower Scheduling and Assignment

The manner in which duty tours are scheduled and the duty assignments of personnel have been shown to effect the discretion and the A/R arrest rate of officers.

a. Manpower Scheduling

Near the end of a duty shift, A/R investigations decrease substantially. This is particularly true in Departments that have adopted relatively time consuming procedures for processing A/R arrests. This fact has an especially important effect on the arrest/no arrest decision since the evening shift typically terminates during one of the peak A/R time periods.

The underlying reason for this decrease in A/R investigations near the end of a duty shift is obvious and stems mainly from the long processing procedures which were addressed in the preceding section. Reducing the time to process an A/R suspect will no doubt decrease, but not necessarily eliminate, the reluctance to arrest a suspect near the end-of-shift.

Obviously, modifying the time a duty tour starts and ends so that it does not correspond with peak A/R time periods would minimize the effect of reluctance to arrest at the end of a duty shift. For example, duty tours such as 12 noon - 8 PM, 8 PM - 4 AM and 4 AM - 12 noon would include the peak A/R period during one shift (8 PM - 4 AM). We recognize the administrative, personal and other problems created by modification of the traditional duty tour, particularly the one suggested above. Perhaps such problems could be minimized by simply shifting the start and end times one or two hours forward or back. This would reduce the effect of reluctance to arrest at the end of duty tour, but probably not as much as the above suggested change. Another approach might be to modify the start and end times for only the Traffic Division and/or only on the days of the week when A/R peaks, e.g., weekends. While reduced processing time should minimize the problem of reluctance to arrest at the end of a duty tour, it is recommended that Departments also explore the feasibility of modifying the start and end times of duty tours.

b. Manpower Assignment

There is one opportunity for establishing duty tours to maximize A/R enforcement and that is in the case of specialized squads whose sole responsibility is A/R enforcement. The survey indicated that patrolmen assigned to traffic divisions produce higher arrest rates than those charged with general patrol duties. Special A/R enforcement teams, such as those employed by the ASAP's, no doubt can produce still higher arrest rates.

A/R warrants considerable enforcement emphasis and dedicated units can help fulfill this need. If properly implemented, specialized squads can also serve as a vehicle for providing valuable A/R enforcement experience to a large proportion of a Department's personnel.

Specifically, it is recommended that, in areas where the A/R problem is great and resources permit, Special Enforcement Teams (SET) be established to concentrate solely on the detection, identification and apprehension of A/R violators. The number, size and scheduling of SET's would of course be dependent upon the perceived magnitude of the problem relative to other law enforcement needs, and, probably most important, the Departmental resources which can be devoted to the problem.

Ideally, the size of the SET should be sufficient to produce a "significant" increase in the number of A/R arrests a Department makes per some unit of time. For example, it would be useless to divert Departmental resources to support a SET if the resultant number of A/R arrests remained constant or increased only slightly either because the regular patrol was reduced to man the SET or the regular patrol decreased its A/R enforcement activity, assuming that it was the responsibility of the SET.

What constitues a "significant" increase is difficult to say. The ideal and ultimate measure of effectiveness of increased A/R enforcement is, of course, the number of alcohol related traffic events in the community, i.e., fatalities, injuries, violations, etc. An effective enforcement effort should reduce the number of alcohol related traffic events. Another criterion to measure the effectiveness of A/R enforcement efforts is the average BAC of individuals arrested for A/R. An increase in A/R arrests and a reduction in mean BAC of those arrested indicates that more borderline cases are being detected and apprehended.

Thus, the size of the SET must be sufficient to not only increase A/R arrests significantly, but also demonstrate positive impact on alcohol related traffic events. Each Department must determine the optimum size of its SET based on the magnitude of the A/R problem and the resources it can devote to combating the problem. Should it be determined that a SET of sufficient size to have an impact can be supported by the Department, several steps are recommended.

First, members of the SET should receive special training in A/R detection and apprehension. Comprehensive A/R training requirements are described in Subsection C of the report. SET personnel should be provided with training in all areas specified to the maximum depth possible.

Second, the matter of scheduling tours so that start and end times do not coincide with peak A/R periods has been discussed at length. It is particularly applicable to the SET and, since the SET would be a relatively small specialized group of patrolmen, it might prove easier to modify their duty tours. In some cases, the modified duty tour might even serve as a inducement to volunteer for this special duty. Lastly, with regard to scheduling, limited resources might preclude fielding SET's 24 hours a day, 7 days a week. Accordingly, the time of day and perhaps even the days of the week that the SET is on duty should coincide with the peak A/R periods, e.g., the night shift and the weekends.

The number of men per SET unit must also be determined. One man per car, has the advantage of maximizing the surveillance and, perhaps, deterrence capability of a limited manpower/equipment resource. However, it also may create problems after an arrest is made in terms of obtaining a second officer to dispose of the suspect's car and/or accompany the arresting officer and the suspect--depending upon local arresting procedures. Two officers per unit reduce the surveillance and deterrence capability of limited manpower resources but partially circumvent the above mentioned problems. Two man SET's also provide an opportunity for rotating regular patrolmen through the SET. For example, half of the SET could be composed of a more or less permanent cadre of selected "high enforcers" and the other half would be regular patrolmen who rotated through the SET on a periodic basis. This should improve the capabilities of the regular patrolman in the area of A/R enforcement by providing him with on-the-job training under a specialist. Further, it would reduce the possible effects of boredom and loss of motivation which may result from having a single specialized assignment over a long period of time--particularly since it is related to traffic rather than criminal law enforcement.

With regard to the latter point, as it applies to the "permanent" cadre of SET personnel, periodic rotation should be considered to counteract possible boredom and loss of motivation. However, it should probably be done on an individual basis to avoid losing a "high enforcer" who maintains his performance and wishes to continue in the assignment.

Selection of personnel for assignment to the SET is an important factor in ensuring performance. Policies, procedures, scheduling, etc., may be optimum. However, if the individual is not motivated for one reason or another, performance is bound to suffer. Individual motivation is a function of many factors and is not static. Many of the factors are external to the individual (lack of training, court disposition record, Departmental policy, etc.), can be modified to produce a positive effect on motivation and, therefore, do not enter into consideration during the selection process. Basic characteristics of an individual which can be considered in selecting personnel for the SET are past performance, age and personal use of alcohol.

Clearly, the first consideration in assessing a patrolman's qualifications for SET assignment is his past performance in A/R enforcement. If he has logged a high rate of arrests, it is likely that he will continue to do so, especially if he is freed of other duties and if appropriate policies and procedures are established. The second consideration, we feel, is his personal use of alcohol--there is no need to restrict SET assignment to teetotalers, but neither should we overlook the fact that officers who drink frequently and/or relatively heavily generally are "low" A/R enforcers. Lastly, the officer's age is another factor to consider. While it would be inappropriate to staff the SET with inexperienced officers, we should recognize that younger patrolmen tend to have a more positive attitude toward A/R enforcement.

We should note that these same considerations apply to selection of SET supervisors. It is also crucially important that the supervisors have the respect of their men, and the leadership qualities that earn this respect. Most especially SET supervisors should be selected from those squad leaders who have a proven record of "going to bat" for their subordinates.

The purpose or mission of the SET and the implications for strategy and tactics must be considered. True the primary mission of the SET is to remove the drunk driver from the road. However, should a Department emphasize increasing the number of arrests, the deterrent value of the SET or some combination of both? Should this be accomplished through overt or covert surveillance? Should the Department introduce a procedure whereby members of the SET warn obviously intoxicated individuals, who are approaching their cars, not to drive? (Another method of keeping them off the road.) Should the SET have easily identifiable cars, e.g., marked Alcohol Safety Patrol, to alert the public and thereby serve as a deterrent? Should the SET units patrol individually or in "wolf packs" to increase the apparent number of units in the SET? Should the SET be deployed to specific locations where there is a high incidence of drinking or place under general surveillance roads leading to and from such locations? The preceding and other questions must be considered in developing strategies and tactics. However, the answers must be tailored to the unique characteristics of the community, the nature and magnitude of the A/R problem and the resources available to combat the problem. No standard solution exists nor is any one solution applicable at all times. Strategy and tactics will differ from one Department to another and will change within a Department as a function of current circumstances. Management and supervisory personnel must develop suitable tactics and be alert to the requirement to monitor, evaluate and change tactics--all of which support the need for an A/R management information system.

Regardless of whether a Department is able to field a SET the same considerations regarding strategy and tactics are applicable to the regular highway patrol or traffic division. In other words, regular patrols should be deployed to maximize surveillance at high A/R incidence locations and during peak A/R times. Further, when so deployed, the patrol should be aware of the tactics considered appropriate for the time and location, e.g., covert vs. overt surveillance, one unit vs. "wolf pack," warnings vs. arrests, general vs. specific surveillance of an area, etc. Although not a SET, the highway patrol's or traffic division's primary responsibility is traffic law enforcement and certainly A/R enforcement is one of, if not the most, important aspect of traffic law enforcement considering the number of alcohol related highway fatalities.

3. Suspect Investigation Procedures

There appears to be a need to improve techniques and procedures for investigating A/R suspects. On the one hand, we have shown that a suspect's apparent degree of intoxication affects the arrest/no arrest decision, in that many officers admit reluctance to arrest a driver who seems only "slightly" intoxicated.

On the other hand, we have found that the standard sobriety tests (finger to nose, walking the line, reciting the alphabet, etc.) very often are not employed in A/R investigations. The implication, we believe, is that patrolmen do not fully trust the value of these tests. Our data suggest that these tests more often are conducted in a proforma manner after reasonable grounds for arrest have been established, rather than to aid in the establishment of reasonable grounds. Thus, A/R investigations rely heavily on the suspect's general appearance of intoxication--in the absence of clear symptoms of intoxication, i.e., in borderline cases, there may be no true investigation. A/R enforcement, then, seems based upon overly conservative investigations: patrolmen look for overwhelming, rather than sufficient, evidence before making the arrest.

In part, this situation may be due to insufficient training in the use of standard sobriety tests. However, we feel that even more fundamental reasons may apply. In particular, to our knowledge the validity and reliability of the standard sobriety tests have never been determined under controlled conditions. That is, their ability to distinguish between persons whose BACs are above or below the presumptive limit has not been conclusively demonstrated. We should also observe that these tests were first developed and employed when BAC limits were undefined or set considerably higher than they are at present. It is possible that some or most of these tests are totally unsuited to the 0.10% statutory level.

As a first step, we recommend that formal, controlled research be conducted to assess the reliability of these time-honored tests and , concurrently, to develop and evaluate new tests. Any that are found to reliably and repeatedly differentiate between individuals below and above the presumptive limit should be adopted for use in every A/R investigation. Conversely, any that are found to lead to erroneous conclusions concerning the individual's sobriety should be discarded.

We believe that this recommendation, if implemented, can produce a valuable set of investigation tools that will be both better accepted and more widely used by patrolmen. However, we should bear in mind that all such sobriety tests are basically subjective in nature. In all probability, they will never be 100% reliable, nor will their results always be unequivocal. We therefore believe that more objective investigative tools are also required. In this context, we urge continued development and testing of portable breath testing (PBT) apparatus. Breath alcohol screening devices, if accurate and reliable, would provide preliminary measurements of BAC and reduce the officer's dependence on the subjective symptoms of impairment. To date, prototype PBTs have been developed by several private firms and governmental agencies--some of these have been put to use by police departments on an experimental or limited basis. While this study did not provide an opportunity to assess any data on these instruments, development and mass production of an acceptably accurate PBT seems well within the state-of-the-art. To be sure, employment of PBTs will create additional requirements for training and legislative revisions (both of which are discussed subsequently) and may have to await resolution of constitutional issues. But, such instruments offer vast improvement of A/R investigation and every attempt should be made to ensure their availability and use.

One other procedure that should be considered in this context concerns the use of video tape equipment to record A/R investigations. As reported earlier several officers interviewed in this study suggested that this approach be taken. A visual record theoretically could be of great value during adjudication of the case, e.g., by presenting a complete description of the arrest scene, by documenting the results of sobriety tests, etc. Also, the tape presumably would show a completely different appearance of the defendant than that which he displays in court, and so might overcome any sympathy the judge or jury might tend to feel for him.

None of the departments surveyed in this study employed video taping in this role, so we cannot formulate any conclusive recommendations for or against its use. However, many law enforcement agencies--particularly those associated with ASAPs--have tried this technique. We suggest that these departments be surveyed to determine what success, if any, they have had with this approach, and whether it should be adopted more widely.

C. Training of Police Personnel

Our recommendations concerning policies and procedures are intended to set the stage for increased A/R enforcement. If implemented, they will help to create the desired departmental emphasis on this offense and facilitate the investigation/arrest process. However, the ultimate responsibility for A/R enforcement rests with the individual members of the force. Policies and procedures can do no more than remove the impediments to this task... they cannot do the job by themselves. Police commanders, supervisors, and patrolmen must understand the task at hand, know precisely what is expected of them, and possess the skills required to meet these expectations. Only through training can we ensure the availability of the necessary knowledge and skill.

Our suggestions for training address specific areas where knowledge and/or skills were found to be lacking, or where particular programs of instruction were found to benefit the level of enforcement.

1. Instruction in the Relationship Between Alcohol Consumption Quantity and Legal and Physical Impairment

Current misconceptions among patrolmen as to the quantity of alcohol consumed by the typical A/Rsuspect contribute to a tendency to sympathize with those suspects and seek alternatives to arrest. Further, the fact that many patrolmen grossly underestimate the quantity that must be consumed to produce a BAC of 0.10% degrades their appreciation of the presumptive limit.

These misconceptions must be corrected if we expect to create the proper attitude toward A/Rand its enforcement. To this end, we recommend the following steps:

- Controlled drinking demonstrations

  Police personnel (patrolmen, supervisors, and commanders) should have an opportunity to observe formal controlled drinking demonstrations. These would enlist the services of volunteers who would imbibe carefully-measured quantities of alcohol and submit to chemical and psychomotor tests of intoxication. Volunteers should be selected who represent a range of drinking behavior (light, moderate, heavy drinkers).

  The total amount of alcohol to be consumed by the volunteer should be apportioned among three or four drinks, to be ingested over a two to three hours period. This will permit the observers to note the consumption quantity associated with increasing levels of BAC and the degradation of psychomotor faculties that occur at those levels.

Subsequent to each drink, the volunteer's BAC could be measured, and tests of his reaction time, motor coordination, etc. could be conducted. Also, the volunteer could be requested to perform the standard sobriety tests designed for A/R investigations.

The primary purpose of these demonstrations would be to clearly show that attainment of the statutory limit of BAC requires consumption of an appreciable quantity of alcohol. As a secondary objective, they would convey the fact that psychomotor performance is indeed markedly impaired at that limit, notwithstanding the fact that the volunteer may not exhibit the appearance of gross intoxication.

These demonstrations could be conducted "live," in which case the observers could be permitted to practice A/R investigation techniques. Alternatively, filmed or video-taped demonstrations would ensure standardization of training and would permit time savings (i.e., the periods during which the volunteers consume their drinks and observe a 15 to 20 minute delay to allow for dissipation of residual mouth alcohol need not be filmed).

- Controlled drinking participation

  Police personnel should also have an opportunity to participate as volunteers in controlled drinking demonstrations. In this way, they could experience the subjective reactions associated with the various levels of BAC. Participating officers would not necessarily have to consume a quantity of alcohol sufficient to produce a BAC of 0.10%, since many would experience subjective feelings of impairment at lower levels.

  As an instructional tool, this participation would serve two ends. First, the point would be made that alcohol consumption quantities typical of social drinking situations generally produce BACs well below the statutory limit. In particular, most participants will learn that their own usual consumption falls far short of that of their suspects. Second, the participants will see that subjective impairment begins well before the legal limit is reached.

In addition to the above formal programs of instruction, we recommend dissemination to police personnel of various reference material relating to the relationship between alcohol consumption and impairment. These might include tables, charts, slide rules, etc. that relate BAC to such variables as body weight, quantity of alcohol consumed, time spent drinking, etc. However, we should emphasize that such reference materials would be intended to augment, not supplant, controlled drinking demonstrations.

The type of instructional programs outlined above should help to remove any lingering doubts an officer has concerning the fairness of A/R laws. It should also dispel the "there but for the grace of God go I" attitude which many officers consciously or unconsciously hold when they encounter an A/R suspect.

2. Instruction in the Theory and Operation of Breath Testing Equipment

The reader will recall that special training in A/R enforcement was found to have a significant, positive affect on arrests, and that this training consisted primarily of instruction in the operation of breath testing apparatus. In part, this effect may be due to the fact that breath examiner specialist (BES) courses often include participation in controlled drinking demonstrations similar to those suggested above. However, it is likely that at least some of this positive effect is attributable to the fact that BES training better acquaints an officer with the "total system" of A/R enforcement. Through this training, his viewpoint broadens beyond the initial act of apprehension, and he acquires a greater appreciation of one of the key elements of evidence, the processes through which it is collected, and the role it plays in the ultimate adjudication of the case. In short, BES training affords a better understanding of the overall enforcement process, and with this understanding generally comes increased motivation.

As a general recommendation, we urge that BES training be provided to as many patrolmen and supervisors as possible. We recognize that most departments could afford neither the expense nor the man-hours that would be required to send their entire staffs to formal BES courses. As a minimum, however, we believe that the following guidelines should be adopted in determining the breadth of BES training required by any department:

Such training should be provided to -

- All members of special squads or units devoted exclusively or primarily to A/R enforcement
- All traffic division supervisors
- At least 20% of traffic division patrolmen
- For those departments having no separate traffic division, at least 10% of supervisors and patrolmen assigned to general patrol activities

Further, we recommend that each precinct or district within any department should have at least two qualified BESs on duty during every shift. These men need not necessarily be assigned exclusively to that duty, but should be available for suspect processing on an as-needed basis.

The above recommendations apply to the provision of formal BES training, which usually requires completion of an instructional program of 40 plus hours duration. We further suggest that every department conduct breath testing familiarization seminars for all supervisors and patrolmen who play any role in traffic law enforcement. These would not be intended to satisfy the prerequisites for BES certification, but rather to provide a "working knowledge" of the theory and operation of the breath testing device(s). These seminars should be conducted by a certified BES, and could be conducted over the course of several roll-call briefings or during regularly-scheduled in-service training.

The major objectives behind this recommendation are three-fold:

- To provide the full understanding of the total A/R enforcement system to as many as possible of the men responsible for that enforcement
- To ensure that each department provides a sufficient number of qualified BESs to process suspects without delay
- To emphasize the attention the department expects its men to devote to A/R

3. Instruction in Detection and Investigation Techniques

The preceding two recommendations are intended to foster the proper attitude toward A/R among law enforcement personnel. The proper attitude is essential, but, by itself, will not suffice to ensure that the desired level of enforcement is achieved. It is equally essential that patrolmen acquire the skills and knowledge required for efficient detection and investigation of suspects. A desire to arrest A/R suspects will bear little fruit unless the officer knows where and how to find them.

We noted earlier in this report that A/R detection at the present time relies almost exclusively on the observation of other moving vehicle violations or accident investigations. In part, this stems from a perceived need for a "lead-in" charge to justify the A/R investigation when testifying in court, but it also indicates that there is little current emphasis on detection of A/R per se. The supposition seems to be that A/Rs will drive erratically, and that they can be detected simply as a by-product of the run-of-the-mill traffic "contacts."

We believe, as do many "high" enforcers, that A/Rs exhibit symptoms of their impairment that are more subtle than these independent moving vehicle violations. For example, a driver may display his impairment by over-correcting his steering when cornering, weaving slightly within his traffic lane, varying his speed (within the posted limits), etc. Other indications of A/R can include the driver's general appearance (assuming the officer can observe this while the suspect vehicle is in motion) and various behavioral oddities (e.g., driving with the windows down in cold weather, failure to dim headlights for approaching traffic, etc.). Patrolmen should be trained to recognize these and other subtle symptoms, to pursue suspect vehicles when these symptoms are noted, and to be willing to conduct investigations on the basis of these symptoms. Some might argue that this recommendation would lead to harrassment of innocent motorists. However, we are not suggesting that A/R investigations should take place randomly or capriciously, but rather that officers should be on the alert for the "early warning signs" of the offense. In short, we recommend training designed to produce alert, aggressive surveillance of possible A/Rs, not overbearing or groundless enforcement actions.

Training in A/R detection should also stress the particular problems faced during foul weather and other hazardous driving conditions. The need for increased attention to A/R during these times should be emphasized, as should the fact that the traditional "gross" symptoms of A/R may be masked by the general increase in "bad" driving that occurs under those conditions.

Instruction in investigation techniques, given that detection has occurred, is also required. As we have noted earlier, many officers apparently fail to make full use of roadside sobriety tests, and often have little faith in the reliability of these tests. Standardized training in the conduct of tests of proven reliability and the proper interpretation of their results should help to ensure that investigations will more often lead to accurate assessment of the grounds for A/R arrest.

We also recommend that training programs be developed to instruct patrolmen in the operation of portable breath testing devices. We believe that the magnitude of the A/R problem warrants the use of such devices for investigation purposes. We subsequently will present recommendations to ensure their full utilization.

A particularly important requirement for training in A/R investigation concerns the elements of the offense, i.e., the facts that must be established if conviction is to result. These elements may vary from one state to another, in accordance with the specific wording of the laws, but they generally require that the prosecution prove:

- that the defendant was "operating" the vehicle;
- that the offense took place at a location covered by the statute (in some cases, private property or other specific places might not be included within the ban of the statute);
- that the defendant was "under the influence of alcohol."

In each case, it is incumbent upon the patrolman to obtain the evidence required to verify that these elements were present. Thus, officers must receive thorough instruction as to what constitutes relevant and admissable evidence. In developing training programs to fulfill this need, departments should work closely with representatives of the courts. Ideally, the presiding judge should be requested to delineate the types of evidence necessary and sufficient to prove commission of the offense, and he or members of his staff should be enlisted as instructors for patrolmen training. "Mock trials" should be conducted as an integral part of this training to permit patrolmen to develop and practice their skills in court testimony and to permit illustration of the key role of each evidentiary requirement. "Mock trials" would also afford an opportunity for joint training of police and court personnel, and would help ensure that all judges and prosecutors take a common view of the case elements and admissable evidence.

4. Instruction in the Factors Affecting A/R Arrests

Patrolmen, supervisors, and commanders could benefit from instruction concerning the factors identified in this study. The emphasis, of course, should be on providing accurate knowledge to overcome negative factors and strengthen those exerting a positive influence. For commanders, the training should focus on the development of the policies and procedures to deal with the factors. For supervisors, emphasis should be devoted to ensuring the implementation of these policies and procedures, and to monitoring the activities of their subordinates to determine which factors are exerting an influence and so require special supervisory attention. For patrolmen, instruction in the factors should stress the enforcement problems that they can expect to encounter, the department's policy regarding these problems, and the risks that will be run if these problems are permitted to interfere with their enforcement action.

To better elucidate this recommendation, let us sketch the content of instruction that could be given relative to the negative effects of the approaching end-of-duty-shift. All personnel--patrolmen, supervisors, and commanders--should be acquainted with the data that define the influence of this factor, i.e., the decrease in the incidence of A/R investigations near shift-end despite the high incidence of A/R violations that occurs around the termination of the evening shift. Command personnel should be apprised of the techniques they could employ to counteract this factor, including revision of shift schedules, establishment of efficient and speedy processing procedures, provision of adequate compensation for overtime work, and adoption of standards of performance that emphasize A/R enforcement during critical time periods. Supervisors should be trained to evaluate the impact of this factor on patrolman performance, by assessing the number of traffic contacts recorded near shift-end, the number of A/R arrests logged during that period, and the BACs of the suspects. This will serve to determine whether the level of enforcement diminishes during this critical period. Patrolmen should be fully informed of the department's desire to maintain a high level of enforcement throughout the shift and the fact that they are expected to perform to standards that emphasize A/R during critical time periods. Care must be taken to stress the fact that modifications to departmental policies and procedures are intended to support the patrolmen in the performance of their duties and the purpose behind all such modifications should be clearly explained. The patrolmen should also be encouraged to submit suggestions for procedural changes that could facilitate end-of-shift arrests.

Similar instructions should be given for each factor. If properly conducted, this training will help to develop a common attitude and approach to A/R enforcement among all levels of the department. We believe that the data presented in this report would form the nucleus of a program of instruction concerning the factors.

5. Training of Police Management and Supervisory Personnel

The preceding training requirements are aimed primarily at patrol personnel. As indicated previously, the effectiveness of patrol personnel in A/R enforcement will be no better than the policies, procedures and expectations established and communicated by police management and supervisory personnel.

Policies, procedures and expectations are a function of priorities and resources available as well as the knowledge and attitudes (re: A/R enforcement) of police management and supervisory personnel. If they are knowledgeable regarding the magnitude and seriousness of the A/R problem and the steps which can be taken to combat it, they will have a positive attitude regarding enforcement which will be reflected in the policies, procedures and expectations they establish. This, in turn, will be reflected in the attitude and performance of the patrolmen. Conversely, if management and supervisory personnel are uninformed and/or complacent regarding A/R enforcement, this will be reflected in the attitude and performance of their subordinates.

Our survey supports this hypothesis. It was found that when patrolmen believe that their supervisors emphasize A/R, arrest rates are high. However, supervisors must explicitly establish the fact that they expect their men to devote high priority to the A/R offense and that the patrolman's performance rating will suffer if he fails to exhibit the desired level of performance. At present, less than one out of five supervisors place "a good deal" of emphasis on A/R arrests when rating a patrolman's performance and only about one in three expect their men to make at least some minimum number of arrests annually. Furthermore, although supervisors believe that discretion plays an appreciable role in A/R situations and assert that they do not favor the exercise of discretion, a substantial minority of patrolmen seem to feel that their supervisors tolerate, or even encourage, discretion.

Thus, we can conclude that supervisors can actively and effectively enhance A/R enforcement by means of the policies, procedures and expectations they establish on a formal or informal basis. However, it appears that insufficient emphasis is being given to the problem at the supervisory level and the supervisor's negative attitude toward discretion is not being communicated effectively to all subordinates.

Many of the recommendations described previously will help ameliorate the above problems, e.g., explicit A/R enforcement policies and procedures, standards of performance for patrolmen and A/R training for patrolmen. However, in order to foster the proper attitude in patrolmen and before effective policies, procedures and training programs can be developed, police managers and supervisors themselves must have the proper attitude relative to A/R enforcement. They must be knowledgeable regarding policies and procedures which will increase police officer detection and apprehension rates and minimize, negate or neutralize those factors which contribute to a reduced rate. They must be familiar with the characteristics of individuals who will be effective on special enforcement teams. They must be aware of appropriate deployment strategies. They must know how to develop and utilize a management information system for planning and evaluating A/R countermeasures. And, finally, they must know how and what to communicate to whom relative to A/R enforcement.

In brief, police managers and supervisors require a training program which will:

- Create or foster the proper attitude re: A/R enforcement by educating them regarding:
    - The nature and magnitude of the problem of alcohol and highway safety
    - The characteristics of the alcohol impaired driver
    - The role of enforcement in combatting the A/R problem
    - The use of discretion in A/R enforcement
    - Factors that influence discretion
- Provide guidelines and techniques for increasing A/R detection and apprehension rate and minimizing or eliminating factors which reduce the rate in the areas of:
    - Policies

- Procedures
- Training/educating subordinates
- Management information systems for planning and evaluation
- Selection procedures
- Deployment strategies
- Communications

In short, we recommend development of a police management training program for A/R enforcement as a means of ensuring and facilitating implementation of our previous suggestions concerning policies, procedures, and patrolman training.

D. Adjudication

In developing recommendations in the area of A/R adjudication, consideration must be given to the findings and conclusions from the survey of both police and court personnel.

A substantial proportion (about 26%) of the most recent A/R arrests reported by patrolmen failed to lead to conviction on that charge. Further, the "low" enforcers experienced a much lower conviction rate than did the "high" enforcers. Perhaps as a result, "low" enforcers more often indicated that plea bargaining imparts a negative influence on their arrest/no arrest decision. However, it is the "high" enforcers who seem most personally "bothered" by the leniency of the penalties and courts.

The courts, on the other hand, are aware of police displeasure with their practices. However, judicial personnel do not seem to believe that this attitude affects A/R enforcement. A fair percentage of judges and prosecutors believe that plea bargaining is a reasonable practice in order to handle the caseload. Finally, the courts are generally satisfied with the current level of A/R enforcement.

To summarize the findings, court disposition practices in A/R cases appear to have some negative influence on the discretionary arrest/no arrest decision, particularly in the case of "low" enforcers. This suggests that if current court practices were modified to provide for stricter and most importantly, more uniform adjudication of A/R cases, A/R arrest rates might increase. In any event, changes in court disposition practices would certainly remove one major source of concern of the police officer and reflect the same fair but firm emphasis expected of enforcement.

Accordingly, the chief goal of our recommendations in the area of adjudication is to ensure that police and court personnel adopt a common attitude and approach to the A/R problem, thereby increasing the deterrent value of the law enforcement and judicial system through increased arrests and convictions. Recommendations are made in the areas of: 1) adjudication policy, 2) improved police/court liaison, 3) use of special prosecutors, and 4) training of court personnel.

1. Adjudication Policy

The major concerns in this area center around the practice of "plea bargaining" and lack of uniformity in the disposition of apparently similar cases, i.e., the wealthy/influential individual who can afford an attorney is more likely to have the charge dismissed or reduced than the less influential and affluent defendant.

In view of the heavy caseloads, it would be unrealistic to expect that "plea bargaining" can be totally eliminated under present circumstances. However, a formal, firm policy for plea bargaining should be established to ensure uniform treatment of all defendants. Factors to be considered in establishing such a policy might include:

- Number of previous A/R convictions.
- BAC level at the time of arrest.
- Incident related factors, e.g., accident, fatalities, etc.
- Magnitude of the defendant's drinking problem.
- Impact of the conviction on the defendant's livelihood.
- Alternative penalties available.

True, such factors are no doubt presently taken into consideration by the judge and prosecuting attorney when trying a case or conducting a pre-trial conference. However, a police officer usually is only aware of two facts: 1) the defendant was arrested based on " reasonable grounds" and subsequently proved to have a BAC above the statutory limit and 2) the courts reduced or dismissed the charge. Based on available information the arresting officer can only conclude that the courts are arbitrary or discriminatory.

It is not meant to imply that police officers are unsympathetic or unwilling to consider extenuating circumstances. They recognize the courts must be free to assess the individual merits of each case. What "bothers" them, in the absence of all the facts, is the apparent arbitrariness and discriminatory nature of the court decision.

Regardless of the number of factors to be considered when trying a defendant or conducting a pre-trial conference, formal and firm guidelines should be established to preclude arbitrary or discriminatory practices. For example, such guidelines could state that "plea bargaining" or charge dismissal is precluded if any one of at least the following factors are present:

- A measured BAC exceeding .15.
- A previous conviction for A/R.
- An accident involving a fatality or injury to another party.
- Refusal to submit to a chemical test for intoxication.

Whether the preceding, or any other list of criteria which may be developed, are fair and reasonable will always be subject to question. The point is that if the judicial system, in collaboration with other interested agencies, develops formal and firm guidelines for adjudication of A/R cases, at least all concerned parties will know what the "ground rules" are, regardless of whether they consider them fair and reasonable. It should also provide some degree of assurance that the practice of "plea bargaining" will not be abused.

Guidelines for when "plea bargaining" should be permitted are somewhat more complex since, by necessity, they must involve consideration of a number of interrelated factors. For example, consider the individual who is a first offender, measures .12 BAC and is dependant upon his car for his livelihood versus the individual who is a first offender, measures .12 BAC, is not dependent upon his car for his livelihood, but is diagnosed as a problem drinker. Should either, both or neither be considered for "plea bargaining?" A case could be made to invoke the maximum penalty for both--to deter them from committing future offenses. On the other hand, "plea bargaining" or alternatives to the statutory penalties might be in order to avoid taking the car from the first individual or to provide rehabilitation to the second. Obviously, the guidelines for permitting "plea bargaining" are not as simple as those for precluding the practice.

Since the scope of this project does not include an assessment of the legal, psychological, sociological and economic implications of "plea bargaining," suffice it to say that formal, firm policy and guidelines should be established in the area of "plea bargaining", at least in terms of when "plea bargaining" is not permitted.

2. Improved Police/Court Liaison

As indicated previously, courts are aware of police displeasure with their practices. However, they do not believe that this attitude affects A/R enforcement. To an extent they are right, since "high" enforcers do not appear to be greatly affected. On the other hand, court disposition practices do appear to have a negative effect on the arrest/no-arrest decisions of "low" enforcers. Further, it is not known whether more strict and uniform adjudication of A/R cases might not result in an increase in the A/R arrest rates of both "high" and "low" enforcers. Failure to communicate the reasons underlying "plea bargaining" and the factors which must be considered, may be another cause for misunderstanding between police and court personnel. Lastly, it seems obvious that

A/R arrests fall far short of expectations. Police personnel realize this. However, the courts are generally satisfied with the current level of A/R enforcement. One might expect the courts to feel this way considering the increased caseload the current emphasis on A/R enforcement has produced.

It is apparent from the preceding that there is a breakdown in communications between the courts and law enforcement personnel. There does not seem to be an appreciation of each other's expectation, requirements and constraints. As a consequence, one system antagonizes the other with a resultant decrement in overall performance of both systems.

It is recommended that channels of communication between police and judicial personnel be opened and frequently exercised. Each "side" should strive to develop an understanding of the needs and problems the other faces relative to A/R. Frank and honest exchange of views, suggestions and "gripes" should be encouraged. Each agency has a job to do and each is trying to do it in the best way possible under the constraints of time and resources.

Specifically, there should be an exchange of views regarding objectives. Obviously this is needed since the courts are generally satisfied with the current level of A/R enforcement whereas the law enforcement agencies are not or should not be since it appears to be far below the potential arrest rate. Needless to say, the courts may not be inclined to encourage increasing the present case backlog. The police, however, must be made aware of the impact of conflicting objectives.

Secondly, with regard to "plea bargaining," law enforcement personnel should be made aware of the underlying reasons and the factors which must be considered when trying an A/R case. Without such understanding, "plea bargaining" could be easily misinterpreted as being arbitrary and discriminatory.

The court system, judges and prosecuting attorneys, must also understand the patrolman's point of view relative to maintaining a high rate of A/R arrests and the adjudication factors which contribute to or detract from achieving these objectives. Conversely, the police must acquire an understanding and appreciation of the court's requirements. Most importantly, judges and prosecutors should be requested to clearly delineate the elements of the A/R offense, i.e., the facts that must be established if conviction is to result. They should also inform the police as to exactly what constitutes relevant and admissable evidence of these elements. Again, a frank exchange of information and a sincere willingness to act upon the information is essential to achieving the ultimate objectives, i.e., getting the drinking-driver off the road.

The courts can take other steps to facilitate enforcement and adjudication by scheduling court dates at the convenience of the arresting officer and other police participants. Police personnel will be discouraged from making arrests if they know they will have to appear in court on their days off, vacation or off-hours, particularly if the compensation is not considered adequate by the officer.

Lastly, it is suggested that, if "plea bargaining" is employed, the arresting officer should be included in the deliberations--not so much for what he can contribute to the pre-trial conference, but rather to gain a better understanding of the factors which determine whether the charge is upheld, reduced or dismissed. It is believed that increased insights regarding A/R adjudication requirements will reduce the negative attitudes currently held by most law enforcement personnel.

3. Use of Special Prosecutors

We have already discussed the need to increase the A/R conviction rate as a means of improving the patrolman's attitude towards his enforcement responsibility. Of course, convictions--assuming they are warranted by the evidence--are also essential if the law is to have the desired deterrent effect. Efforts to boost the rate of conviction thus are clearly desirable. One method of doing so, i.e., reduction of "plea bargaining", was discussed previously. Another technique would be to assign special prosecutors whose sole responsibility would be to try A/R cases. Just as enforcement would improve if dedicated patrol squads were employed, so would adjudication if prosecuting attorneys were selected to specialize in A/R cases. The increased conviction rate realized by utilizing specialists would have a two-fold advantage. One, it would reduce the negative attitude held by some patrolmen that it is useless to arrest someone for A/R since they probably will not be convicted. Secondly, and perhaps more important, it will serve as a deterrent to the general public by eliminating the popular misconception that the probability of conviction for A/R is low so "why not take a chance."

At first glance, it might appear that utilization of special prosecutors for A/R cases would increase court system costs. However, considering the fact that prosecuting attorneys are required for all cases and there is a heavy A/R caseload, it does not appear that there would be any increase in total costs if one or two prosecutors specialized in A/R cases as opposed to spreading the A/R caseload among all attorneys. In its ultimate form, each prosecuting attorney would be a specialist in one or more areas--one of which would be A/R cases.

The effectiveness of this approach has been proven in ASAP's in terms of increased conviction rates and should, if implemented in other areas, serve as a deterrent and reduce the negative attitude of police personnel regarding court disposition of A/R cases.

4. Training of Court Personnel

The misconceptions concerning the relationships between alcohol consumption, BAC and impairment are not restricted to police personnel. Judges and prosecutors also need to be better informed of these matters if they are to have the proper view of the offense and the offenders. In addition, judicial personnel need to know how BAC measurements are obtained, and the circumstances which can or cannot contaminate such measurements, if they are to properly use/assess that evidence. In short, many of the training recommendations developed for police personnel are applicable to representatives of the judicial system. Specifically, then, we suggest that court personnel be permitted to participate in:

- controlled drinking demonstrations
- breath testing familiarization seminars
- "mock trials" of A/R cases

E. Legislative Revisions

Enforcement and adjudication of A/R offenses are intimately associated with the laws governing the offense. These laws not only define the nature of A/R offenses, but also implicitly regulate the bases for the arrest/no arrest decision. Further, the laws establish the magnitude and scope of penalties to be imposed upon conviction of A/R.

We believe that legislative revisions are warranted. Our intent here is not to suggest "harsh" laws that would be needlessly restrictive or which would abnegate individual rights. Rather, we seek modifications that would reflect a more objective definition of A/R and permit application of recent technological and scientific advances to enforcement and adjudication.

1. Enactment of "Per Se" Legislation

We recommend the establishment of a law prohibiting operation of a motor vehicle by a person whose blood alcohol concentration equals or exceeds some specified level. The reader will recall that the laws in force in the states we surveyed (and in most other states) prohibit driving while "under the influence of intoxicating liquor." An absolute BAC limit would, in effect, constitute an objective, universally applicable definition of A/R. The current definition is highly subjective, and open to varied interpretation. We further suggest that the absolute BAC level be set at 0.10%.

The chief effect of this recommendation would be to eliminate the need for the police or prosecutor to demonstrate that the suspect was intoxicated, or "under the influence," at the time of arrest. Proof of this subjective condition often requires extensive evidence of "bad" driving, citations for companion violations, and clear symptoms of gross impairment. Even when such proof is available, the case can be lost, for the judge or jury may insist upon a strict interpretation of intoxication. In practice, the recommended modification would prove most beneficial in borderline cases. Most importantly, it should facilitate enforcement without penalizing individuals who drive after moderate drinking.

We should note that we recommend this revision to augment, but not replace, existing legislation. Since chemical tests of BAC may be refused by some suspects or be unavailable in some cases, there remains a need to enable prosecution solely on the basis of other symptoms of alcohol impairment.

2. Enablement of Preliminary Breath Testing

We earlier suggested that training programs should be developed to improve an officer's skills in A/R investigations. We believe that patrolmen who are thoroughly instructed in the conduct of coordination tests and similar investigation techniques (providing they prove valid and reliable) can accurately formulate arrest/no arrest decisions in the majority of cases they encounter. However, there are and will continue to be cases in which the observable evidence is equivocal, and these may increase in frequency as the level of enforcement improves. Thus, we feel that steps should be taken to incorporate preliminary breath testing into the investigation process.

Portable breath testing devices have been available for some time. In the past, these primarily consisted of instruments that provided only approximate indications of BAC--i.e., the "balloon" test variety of instrument. Recently, however, several manufacturers and public agencies have developed portable instruments designed to produce quantitative, accurate BAC measurements. Some of these remain in the developmental stage, while others have been placed on the market.

A prerequisite for the use of these devices is the enactment of enabling legislation, a step that has been taken in a few states. We would urge that all states adopt such laws. In particular, the enabling legislation must clearly delineate the circumstances under which an officer may request an individual to submit to such a test. These circumstance should not require that the officer have probable cause to believe that the suspect is under the influence of intoxicating liquor, since this would prevent the use of the test until grounds for arrest have already been established. Rather, the officer should be permitted to request the test when he has reason to believe that the suspect has alcohol in his body.

The enabling legislation should also set forth penalties for refusal to submit to the preliminary test. The penalty could take the form of driver's license suspension, similar to that invoked under existing "implied consent" laws. We should also note that the enabling legislation should clearly specify that submission to the preliminary test will not satisfy the suspect's requirements relative to the "implied consent" law. That is, we must not create a "loophole" whereby an A/R arrestee can refuse to submit to a post-arrest chemical test for evidentiary purposes simply because he supplied a breath sample during the investigation.

3. Revision of the Penalty Structure

We believe that the current penalties for first offense A/R should be modified to address three areas of concern voiced by patrolmen:

- The perceived lack of uniformity with which these penalties are imposed;

- the economic and other hardships these penalties can create for some suspects;
- the presumed failure of these penalties to deter recidivism.

For the first of these, we urge enactment of legislation incorporating *mandatory* penalties; for the second and third concerns, we suggest that the law permit a *choice* of actions to be taken against the driver's license. Specifically, we recommend adoption of a structure similar to the following:

(1) A mandatory fine of some fixed amount.

(2) Mandatory imposition of one of the following, in accordance with the defendant's choice:

  - license revocation for a specified minimum period
  - license restriction to specially-equipped vehicles for the same minimum period
  - enrollment in and successful completion of an authorized drinking-driver rehabilitation program.

The "specially-equipped vehicles" would be those in which an Alcohol Safety Interlock System (ASIS) has been installed. These systems would be designed to prevent operation of the vehicle by a driver who is under the influence of alcohol. Several such systems are currently under development and laboratory tests of these have shown promising results. Rehabilitation programs have been established under ASAP and other auspices. An extensive review of such programs should be undertaken to identify treatment modalities which have proven successful and efforts should be made to develop and evaluate new approaches of potential value.

Clearly, both the ASIS and rehabilitation approaches require further refinement before they can be offered as viable penalties for A/R. However, they offer a means of restoring a *regulated* driving privilege to DWI convictees. The knowledge that the penalties have the potential to *help* the suspect overcome his problem, and the secure expectation that all defendants will be treated alike, will, we feel, have a positive influence on a patrolman's level of enforcement.

The study that was conducted in areas where ASAP's were in force used a representative sampling of departments by size and location. Some of the patrolmen and supervisors who were interviewed were not assigned to the ASAP. Thus, some of the results are comparisons of ASAP and non-ASAP officers.

The study report is identified as follows:

> Factors Influencing Alcohol Safety Action Project Police Officers' DWI Arrests, Final Report. Prepared by Arthur Young & Company, Washington, D.C. 20036, for the U.S. Department of Transportation, NHTSA, 29 April 1974 (available from National Technical Information Service, Springfield, VA 22151, #PB-232538).

METHODOLOGY UTILIZED

A brief summary of the methodology utilized in performance of this study and in the derivation of the study conclusions and recommendations is presented in this section of the report. Included is a characterization of the approach, discussion of the study instruments utilized in performance of our investigation and a description of a representative visit to a study site (ASAP community). Finally, the analytical process applied in reaching the study conclusions are described.

1. The Study Approach

The basic premise upon which this study was based was that the questions to be answered were highly personal. The extent to which the procedures, policies, or mechanisms applied in an ASAP community appeared proper, or met certain preconceived ideas of propriety, mattered very little if they were perceived by a police officer or affected him in a manner which influenced him to perform contrary to the objectives of the program. The survey team also wanted to discover factors which may not be addressed by the program but which also had a negative influence on the officer's motivation to arrest drunk drivers.

Therefore a study procedure which would elicit candid responses from the officers was developed. The survey team wished to gain both direct answers to questions directed to the officer and also motivate him to volunteer information--to tell us "how it is" with him. Facts concerning his attitudes were of primary importance, but the team was willing to settle for opinions if they were strongly held and, in his opinion, influenced his actions. It was necessary to know what factors influenced his decisions and why.

Interview procedures were established by which the officer would be at ease and be motivated to "level" with the interviewer. As might be expected, the team was not aiming for a reliable set of statistics but a statement of the true "sense" of the problem from the officers view. This is termed the "Delphi" approach in which commonality of opinion or attitude is enough to justify definition of a condition of concern. In this manner the information needed to define the required variables, the level of their influence and the frequency with which they influenced the officer would be obtained.

A second strata of inquiry involved investigating the operational environment with which the officer is concerned: The ASAP program; police department supervision and management, the courts and officers of the court; and in some cases, the peculiar characteristics of the community itself. This was done for two reasons. First to determine if the conditions cited by the officer as influencing him were real or imagined. Secondly, to determine if changes to the systems influencing the officer were feasible. It was intended that our recommendations must be either directed toward changing those factors influencing the officer or reducing their impact upon him.

2. Preparation of Survey Instruments

Survey instruments were prepared to assure a consistent approach to inquiry by interviewers in each ASAP community visited. These documents were prepared to be completed by project staff and were not to be used as "questionnaires" to be completed by respondents.

(1) Interview Guide for Police Officers

The interview guide for police officers was made up of three parts. The first concerned identification and activity data on the officers involvement in DWI patrol and arrest. As most officers interviewed were dedicated to this activity there was little need to gain data on other law enforcement activity.

The second part was to be completed with information generated by a general discussion of factors influencing arrest. The interviewer discussed the program with the officer and the officer "volunteered" factors that he felt influenced himself or other officers in the decision to arrest a "DWI". It was felt that a "volunteered" item would be considered to have more significance than a factor suggested to the officer for discussion. For each factor raised, the officer was asked if it had an influence on him, if it was positive or negative (arrest or not) the degree of influence (significant, moderate, or negligible) and the frequency with which the factor came into play (most cases, many, some).

The third phase, and the most time consuming, involved questioning the officer as to the influence of a series of factors which were developed at the inception of the project. This listing, as well as the instrument and survey technique was tested at two sites prior to using it in the field. Questions which were unclear were revised and factors were added (or deleted) as a result of this testing procedure.

For most of the factors discussed, the officer had the opportunity to discuss the effect that factor (in his opinion) had on other officers and the, the effect it had on him. His comments or qualifications were also noted on the form. The same entries were collected concerning the positive or negative impact of the factor, the degree, and the frequency of influence.

Finally, the officer was asked for additional comments or recommendations as to how the DWI enforcement effort could be improved.

(2) Interview Guide for Police Supervision

Since the basic thrust of the interviews with the police supervisors was to determine what the supervisor perceived the attitude, and beliefs of his subordinates to be, a modified version of the police officer questionnaire was used. Questions dealing with the frequency of decision-making, and some operational details were omitted.

(3) Other Interview Guidelines

As indicated earlier, interviews were held with police administrators, court officials, prosecutors, ASAP officials and others, for the purpose of verifying the information provided by the officers, and to develop input parameters for programs to improve the performance of police officers in the area of DWI law enforcement.

To facilitate the interview process and insure reliable data collection, a series of interview guides were developed for use by the survey team. For each agency, relevant areas of inquiry were identified, and a number of questions were formulated to determine the accuracy of the police officers perceptions relating to the functions and practices of that agency. The areas covered included:

- A definition of the agency's role in the ASAP program
- The policy of the agency toward DWI enforcement
- The attitude of the agency toward DWI enforcement
- The relationship between the officers and the agency and what, if any impact this has on the agency
- Any changes in policy and/or attitude toward DWI enforcement attributable to ASAP
- The agency's perception of the factors that influence a police officer's DWI decisions
- Any recommendations or solutions to problems between the agency and the police officer.

SUMMARY OF CONCLUSIONS

This report describes the study of factors influencing DWI arrests and arrest decisions made by officers who are assigned to specialized DWI enforcement units. Its purpose was to identify variables that affect the arrest/no arrest decision, and to develop recommendations for administrative action that would result in a higher level of arrest activity. The major conclusions are listed below.

The officer's age and experience play a role in his DWI arrest decisions. Of those officers assigned to specialized DWI patrol activities, older officers tend to be more rigid in their enforcement attitudes than are younger officers. Examination of length of police service and specialized traffic enforcement activity indicates a similar trend.

The officer's drinking habits apparently influence arrest decisions; those officers who are light drinkers or do not drink tend to be more rigid in their enforcement activities.

The officer's attitude towards drunk drivers has an influence on his arrest activity. Those officers who have a dislike or distaste for DWI offenders, as might be expected, make more arrests than those officers who expressed sympathy for drinking drivers.

The officer's attitude toward DWI violations has an influence on arrest activity. Although most officers generally agree that penalties, when applied, are appropriate, some expressed concern over the harm that severe penalties might have on first offenders and those who needed their driver's license in order to earn a living.

The officer's attitudes toward the deterrent value of DWI enforcement has an influence. Those officers who do not feel that enforcement activities are a deterrent are less likely to make arrests.

The extent and nature of an officer's DWI training has an influence on arrest activity. Officers who are well trained are better able to identify drunk drivers, collect evidence, and present cases in court; as a result, their confidence is high and their arrest activity improved.

The officer's attitude towards specialized DWI enforcement activities has an influence on levels of arrest. Officers who are knowledgeable of program objectives and generally supportive of the program are more rigid in their enforcement than those who feel the program is ineffective.

The officer's experience in traffic accident investigation has an influence on his arrest activities. Those officers who have experience with traffic accident investigation tend to have more rigid enforcement attitudes towards DWI offenders.

The officer's self-confidence has an influence on his arrest activities. As might be expected, those officers who are confident of their own abilities reflect a higher incidence of arrest.

The attitude of the driver who has been stopped has an influence on the officer's decision-making. Drivers who have a positive attitude and are cooperative are less likely to be arrested than those drivers who are uncooperative or belligerent.

The political or social status of the driver has an influence on some officers. In many communities, officers expressed an unwillingness to arrest well known persons or persons of high social status because they are unsure of the support they would receive from their department.

The suspect's age has an influence on some officers. Generally, officers do not like to arrest elderly drivers, and many officers did not like to arrest the very young suspects.

The suspect's sex has an influence on some officers. Officers are less likely to arrest a female DWI suspect because of the additional processing time, risk of accusations concerning improper advances, or because of the disagreeable nature of many female DWI suspects.

The nature of the suspect's drinking problem has an influence on some officers' arrest decisions. When an officer perceives a suspect to be a social drinker, he tends to be more flexible or lenient in his arrest decisions. However, if he feels the suspect has a drinking problem, he will be more rigid or positive in his enforcement activity.

The presence of a sober, licensed driver in the vehicle has an influence on many officers' decisions. This condition presents what, to the officer, is a viable alternative to arrest and allows the officer to "get the suspect off the road" without the necessity of an arrest.

The fact that a suspect is stopped close to home has an influence on many officers' arrest decisions. This factor presents an alternative to arrest and is commonplace in many agencies.

The suspect's "story" or rationale for intoxication has an influence on some officers' arrest decisions. These excuses at times cause the officer to sympathize with the suspect and result in a no-arrest decision.

The nature of the suspect's driving has an influence on some officers' arrest decisions. Those DWI suspects who do not exhibit bad driving behavior are more likely to be released than those who exhibit bad driving.

The degree of intoxication has an influence on officers' arrest decisions. Those suspects who are more highly intoxicated are more likely to be arrested than those of a lesser intoxication level, although over the legal limit.

The time required to process DWI arrests has a significant influence on officers' decisions. Officers are less likely to make arrests when faced with a lengthy processing time ranging from two to four hours.

The nature of the DWI processing procedures has an influence on officers' arrest decisions. Those officers who are faced with complicated procedures requiring transportation of suspects to the hospital and later to jail or booking facilities are less likely to make arrests.

The fact that an officer has made a prior DWI arrest during his duty shift has an influence. Officers who have already made one arrest are reluctant to make a second or third arrest during the same duty shift.

The time remaining in the officer's duty shift has an influence. Many officers are reluctant to make arrests shortly before the end of their regularly scheduled tour of duty.

The frequency of court appearances has an influence on the officers' decision making. Officers who are required to appear frequently in court, sometimes up to three appearances as a result of a single arrest, are less likely to make arrests.

The effect of unusual working hours has an influence on officers' morale and subsequently their arrest decision making. It was found that many officers working specialized DWI enforcement are required to work duty shifts that presented a hardship on their health and their family life. As a result, morale suffers and arrest decisions are influenced.

The use of one- or two-man patrol cars has an influence on officers' arrests. It was found that officers working in one-man patrol units make as many or more arrests than officers working in teams.

The area to which the officer is assigned has an influence on his arrest decision. Those officers who are assigned to specialized DWI enforcement activities, yet are assigned to work in areas where few DWIs can be found and the DWI problem is insignificant, tended to believe that the department has no real desire to make DWI arrests. As a result, their arrest decisions are influenced.

The patrol techniques have an influence on the number of arrests made. It was found that officers who aggressively enforced all traffic violations make more arrests than those officers who specifically look for an attempt to identify drunk drivers.

The voluntary nature of an assignment to a specialized DWI patrol has an influence on the officer's arrest decisions. Those officers who are conscripted or involuntarily assigned to specialized enforcement activities have lower enforcement rates than those who volunteer.

Officers who are stimulated by competition from other units of the department or with other specialized enforcement officers tend to make more arrests than those officers whose activities were not compared to others'.

The relationship of the officer to specialized program administrators has an influence on some arrest decision making. In instances where specialized patrol activities are administered by units outside the department, and officers resent outside influences, their arrest activities are lower.

The nature of equipment and facilities has an influence on the officers' decision making. Those officers who have impaired morale as a result of inadequate equipment or poor facilities tend to make fewer arrests.

The nature of community social conditions has an influence on officers' arrest decisions. It was found that some officers are hesitant to make arrests in areas where certain racial or social economic groups are concentrated because they fear the potential political consequences of the DWI enforcement activities. Many officers tend to avoid making arrests which would appear prejudicial or racially motivated.

The officers' morale has a significant influence on his arrest decisions. Officers with high morale tend to make more arrests and identify more drunk drivers than officers with low morale.

The attitude of other officers has an influence on some officers' arrest decisions. Peer group acceptance and peer attitude towards DWI enforcement appear to play an indirect role in officers' decision-making process.

Officers who are rated on the basis of performance standards tend to make more arrests than those officers in agencies where performance standards are not utilized. It was observed that where informal standards exist officers did not have a clear idea of what was expected of them and tend to set inconsistent standards for themselves.

The policy of the officers' supervisor, where policy exists, has an influence on officers' decisions. In instances where supervisory policy does exist, arrest activity is lower.

The absence of departmental policy has a negative influence on officers' DWI arrest activity. Officers tend to feel that the department does not support DWI enforcement in instances where a clearly defined agency policy pertaining to DWI enforcement does not exist.

The nature of the police agency that employs the officer tends to influence his decisions. State police and highway patrol officers tend to be more rigid in enforcement activities while city police officers are more flexible. Sheriff's Department and some small town officers appear inadequately trained and more subject to political influences and tend to have lower arrest rates.

The quality of the officers' supervisor had a significant influence on his arrest decision activity. A strong supervisor, it was found, is able to instill confidence in the officers, boost morale, and insulate officers from the negative impact of many factors.

The feeling of isolation that many specialized enforcement officers have tends to influence their decision making. Those officers who feel they are not treated or accepted as regular members of the department, due to specialized DWI assignments, tend to make fewer arrests.

The court support officers feel they receive for their DWI activities has an influence on some officers' DWI arrest decisions. Those officers who feel they have good support from the courts tend to be affected positively while those who feel the courts do not support their activities are subject to negative influences.

The faith an officer has in court justice has an influence on some officers' arrest activities. For example, the officer who believes that citizens who can afford an attorney will receive more favorable treatment in court may be discouraged and limit his enforcement activities to cases where evidence is significant.

The support an officer feels he has from the local prosecutor has an influence on his DWI arrest decision. Officers who feel they received good support from the prosecutor are positively affected while those who feel support is low are negatively influenced.

The officers' perception of community attitudes and support has an influence on the officers' DWI decisions. Those officers who feel that community support is good are positively affected whereas those who feel community support is low are negatively affected.

The legality of specialized programs has an influence on some officers' decisions. Officers who are required to work in specialized programs that circumvented the law through improper diversion are negatively influenced.

The weather conditions influence some officers' activities. Although the actual decision to arrest may not be affected by the weather, enforcement activity is low because fewer contacts with DWI suspects are made and vehicles driven by intoxicated drivers are more difficult to identify.

SUMMARY OF RECOMMENDATIONS

The study of factors that influence specialized DWI enforcement resulted in specific recommendations in the following areas:

- Establishment of the Countermeasures Program
- Administration of Law Enforcement
- Management of Operations
- The Adjudication and Sanctioning Process
- Training Requirements.

Presented in the following material is a brief summary of these recommendations:

1. Establishment of the Countermeasures Program

The attitudes of the officer are influenced significantly by the structure of the specialized DWI enforcement program in his community. Following are summaries of recommendations pertaining to the establishment of a specialized DWI program.

(1) Establish a Central Administrative Authority for Direction of the Program

To assure support of each of the agencies concerned with implementation of the program, a program coordinator should be appointed having a direct charter from the mayor and/or City Council to direct the implementation and maintenance of the program. He should assure that program plans are established and implemented by each agency and monitor their performance and the effectiveness of countermeasures applied.

(2) Establish Legislation And Ordinances That Facilitate Performance of Arrest and Adjudication Efforts

States and communities implementing alcohol countermeasure programs should assure that their laws or ordinances:

- Include a per se statute with a BAC limit of .10%.

- Include an "implied consent" requirement whereby on acquisition of a drivers license each driver consents to subject himself to tests which will determine his BAC when the officer has reasonable cause to request such a test.
- Include authorizations to utilize preliminary tests in the field such as portable breathtesting devices that are more indicative of BAC than the standard field sobriety tests.
- Exclude any requirements for companion charges as essential to an alcohol-related offense (i.e., using "bad driving" as additional proof of drunkenness).

(3) Countermeasures Must Be Implementable Within Existing Law

Rehabilitative countermeasures developed as a part of the program should only be applied following conviction for the charge set by the officer. Plea bargaining or adjustments to the charge for any reason other than lack of evidence should be discouraged. Additionally, an effort should be made to reduce all mandatory sanctions and permit increased judicial discretion for the purpose of sentencing DWI's to rehabilitative programs.

(4) Public Relations Programs Must Emphasize the Positive Aspects of Law Enforcement

The alcohol countermeasures program in a community should direct a significant portion of its public information and education efforts toward dispelling a climate of fear of the police. Community support should be built and maintained by emphasizing the serious nature of the DWI program and "protective" aspects of DWI enforcement.

(5) Law Enforcement Agencies Should Adopt a Policy Relating to DWI Enforcement Activities

All police agencies should adopt a policy pertaining to DWI enforcement. The policy should clearly set out:

- The priority to be given DWI enforcement--commitment to enforcement activity
- The role general patrol and specialized patrol officers will play in DWI enforcement--more specifically, the relative priority of alcohol related traffic activity.
- Instructions on the treatment of V.I.P.s and other officers found to be DWI.

- Parameters or a statement relative to evaluation of effectiveness in DWI enforcement.

Policy is defined in different ways and takes different forms in various agencies. The November 1974 MODEL POLICE TRAFFIC SERVICES POLICIES produced for the U. S. Department of Transportation (NHTSA) defines policy as follows:

> "Policy consists of principles and values which guide the performance of a department in a particular situation. It is a statement of guiding principles which should be followed in activities which are directed toward the attainment of department objectives. Policy is formulated by analyzing objectives and determining through research those principles which will best guide the department in achieving its objectives. Policy is based upon police ethics and experience and desires of the community and the mandate of the law.
>
> Policy is articulated to inform the public and department employees of the principles which will be adhered to in the performance of the law enforcement function. Additionally, policy establishes operational standards to assist department employees in the necessary exercise of discretion in discharging their responsibility.
>
> An officer in the performance of his duty is confronted with an infinite variety of complex situations which require policy action. Since policy is objective rather than situation oriented, it is broad enough in scope to encompass most situations. Policy, therefore, must be stated in general terms."

Our experience has shown that a DWI policy includes the following features:

- A Definition or statement that identifies the subject to be addressed
- A statement of scope that identifies those persons, places or times effected
- The problem to be addressed
- The means, efforts or resources that will be used to address the problem
- The priority assigned to the problem

- The goals to be achieved by policy implementation, including broad monitoring or evaluation criteria.

(6) Courts Should Adopt A Policy Relating to Their Support of DWI Cases

Court administrators should develop and implement a policy that details their support of the goals of the Alcohol Countermeasures Program. The policy should pledge consistent application in procedural matters such as acceptability of evidence, sanctioning, and plea bargaining.

2. Administration of Law Enforcement

A number of factors that influence a policy officer's decisions relating to DWI encounters are related to the degree of support his department gives to his activities. Following are summaries of recommendations pertaining to the administration of DWI enforcement activities:

(1) Establish a Simple and Expeditious Procedure for the Processing of DWI Arrests

All steps required in the DWI arrest and processing procedure should be reviewed and shortened where possible. Specific actions should:

- Facilitate field DWI testing through the use of a pre-arrest breathtesting device.
- Reduce paperwork requirements through consolidation and reformating of reports.
- Structure vehicle impoundment procedures to be responsive to officers needs.
- Relieve arresting officers from some transportation and booking requirements.
- Provide adequate facilities for processing of female arrestees.

(2) Develop an Information System that Reports Alcohol Related Traffic Data

Sufficient information should be generated to allow for problem identification, manpower deployment and both agency and officer evaluation.

(3) Establish a System of Officer Performance Evaluation Including Standards of Performance

A system of performance standards for individual officers should:

- Consider the officer's experience and training
- Consider the nature of the DWI problem in the area of the officer's assignment
- Include a range of acceptable activity
- Cover a reasonably long period. Information to be collected might include the following activities:
    - The number of stops made by the officer
    - The number of suspects tested by the officer
    - The number of suspects arrested by the officer
    - The BAC's for all suspects tested by the officer
    - The disposition of all cases involving the officer
    - The number of breath tests administered by the officer in cases where he was not the arresting officer.

(4) Law Enforcement Agencies Should Analyze Their Needs and Expectations for DWI Enforcement Before Deciding to Establish a Dedicated Unit

Not all police agencies require or can support a full time dedicated unit specializing in DWI enforcement. The following alternative approaches should be considered:

- Dedicated Unit--should the law enforcement agency decide to create a special DWI unit, the stigma of undesirability must be overcome. The department should build up a sense of esprit de corps among the officers in the unit and place increased emphasis on the importance of their activity. Incentives to attract capable officers into DWI units should be considered such as increased compensation, more vacation time and special recognition of the officers.

- Combined Units--consisting of support in the form of patrol vehicles, testing equipment, improvement of DWI arrest processing procedures and DWI enforcement training supplied to these agencies. In this way, all the officers will be able to carry out DWI enforcement more effectively than one or two men in a special unit. Likely candidates for this aid are state police and highway patrols and smaller community police agencies.

- Auxiliary Units--This third alternative establishes support capability for regular patrol officers such as special vehicles with testing devices which can be brought to the arrest site. Officers can be relieved of the most onerous elements of arrest processing such as transferring the suspect to the station. The support unit might also assume responsibility for booking the suspect and impoundment of the suspect's vehicle.

(5) Law Enforcement Administrators Should Provide a Full-Time Supervisor Tasked with Monitoring, Evaluative and Motivational Responsibilities

Strong supervision and direction is vital to the maintenance of an effective DWI enforcement countermeasure that utilizes dedicated officers. A good supervisor can sustain morale, maintain a motivated unit and identify and correct many problems before they begin to affect the operation of his unit.

(6) The Law Enforcement Agency Should Carry Out a Strong Community Relations Program Designed to Foster Support for DWI Enforcement

Law enforcement agencies should undertake a program to establish and maintain effective community support of alcohol countermeasures, especially arrest of drunken drivers. This level of support should be constantly monitored. The attitude of other (non-specialized) officers in the department can be tracked concerning DWI enforcement because they often mirror community sentiments. Development of community relations programs should involve the specialized officers as much as possible.

(7) Formalize Relationships between The Law Enforcement Agency and The Alcohol Countermeasures Program Management

The law enforcement agency should not allow the countermeasures staff to exert direct control over the dedicated officers and should not abrogate their responsibilities pertaining to maintenance of DWI enforcement. Police departments should formalize any agreements between themselves and the countermeasures staff to insure that all enforcement activities will be the primary responsibility of the law enforcement agency.

3. Management of Operations

Certainly the environment in which an officer carries out his enforcement activity can play a large part in shaping his attitudes towards DWI decision-making. Following are summaries of recommendations pertaining to the management of DWI enforcement activities:

(1) Officers Should Be Deployed to Locations Where They Will Be Most Effective in Apprehending Drunk Drivers

In order to overcome the various tactical problems specialized DWI enforcement can create, it is recommended that officers be deployed according to strategies based upon the following:

- The number and location of alcohol-related accidents
- The number and location of prior DWI arrests within the area
- The number and location of drinking establishments within the area.

After the various patrol areas have been identified, the law enforcement agency should create, and supply to the officers working each area, a "beat book" to serve as a guide. This book should contain the following information about the patrol area:

- A description of the overall patrol area including its boundaries, main throughfares and other geographic information relevant to DWI enforcement
- A profile of past DWI arrests and drinking patterns within the patrol area
- A profile of past alcohol-related accidents by time, location, and weather conditions for the patrol area
- A profile of the drinking establishments in the area by location, pinpointing the most heavily frequented taverns.

(2) Provide Adequate Working Quarters and Maintain Equipment for Alcohol Countermeasure Officers

All testing and processing facilities should be of sufficient size to accommodate a large number of suspects and these facilities should be strategically located and accessible to all officers. If the jurisdication covers a wide area, the law enforcement agency and Alcohol Countermeasure's staff should consider establishing several testing sites.

All equipment such as breath testing machines, patrol vehicles or testing vans should be kept in good repair. The Alcohol Countermeasure Program should provide for maintenance and replacement schedules in their budgets based upon reasonable schedules of expected wear and tear caused by patrol activities.

(3) Utilize One Man Patrol Units only and Extend Duty Hours at least One Hour Past Peak DWI Activity

To overcome the impact of certain "negative influences", it is recommended that (1) one-man units be utilized for DWI patrol and (2) duty hours be adjusted to end at least one hour past peak DWI activity.

One-man cars can cover more territory per shift and can give a greater level of DWI arrest support to non-ASAP units.

Extension of duty schedules to at least one hour past peak DWI activity will increase the probabilities that late arrests will be made since the officer knows he would have to work that time anyway.

(4) An Effort Should Be Made to Lessen the Major Evidentiary Problems An Officer Faces in DWI Arrests

Three main areas of evidentiary problems that were identified should be addressed:

- Proof of "bad driving" should not be a required element of the offense
- Companion charges should not be required
- Expert witnesses should not be required to testify as to results of BAC testing.

(5) All Officers Assigned to DWI Enforcement Should Meet Certain Personnel Selection Standards

Several criteria should be established to measure the officer's possible effectiveness as a DWI enforcer. The following elements should be considered in the personnel selection process:

- Select a self-confident officer, one who has demonstrated he can make decisions, good quality arrests and present effective testimony in court.
- Select officers who evidence a willingness to work long hours and even past regular hours if necessary. This is important to overcome the tendency of officers not to arrest suspects late in their shifts.
- Select officers who have substantial enforcement experience because they tend to be more rigid in their enforcement attitudes. Seek out officers who have shown a proclivity for DWI enforcement.
- Select officers who do not have heavy drinking habits so they will not empathize with DWI suspects and not be as susceptible to "sob stories".
- Select volunteers only for dedicated service to preserve morale of the unit and in no case should an officer be assigned to DWI enforcement as punishment duty or because he can't "make it" on regular patrol.

4. The Adjudication and Sanctioning Process

The Adjudication and Sanctioning process can have a large impact upon a police officer's DWI decision-making. Following are summaries of recommendations made pertaining to the adjusted adjudication and sanctioning process.

(1) A Police-Court Liaison Officer Should Be Provided to Coordinate Officer Scheduling and Provide Evaluative Input to the Officer

It is recommended that a Court Liaison Officer be appointed by the law enforcement agency and work within the court. This officer would serve as a channel of input and feedback between the officers and the court. His basic duties would be divided between establishing and coordinating officer appearance schedules and maintaining surveillance of the officers court performance and case disposition.

(2) Officers Should Be Allowed to Contribute Input Into the Plea Bargaining Process

Arresting officers should be permitted to have some input into the plea bargaining process. The officers should be called on to supply such information as the suspect's attitude at the time of arrest, his degree of intoxication, degree of bad driving, and other facts to which the officer was a witness.

(3) All DWI Cases Should Be Handled By Prosecutors and Officers Should Appear As Witnesses Only

Police officers should not be required to present cases in court. Court preparation should be made by experienced prosecutors only.

(4) Provide Orientation for Defendants to Explain the Operation of the Alcohol Countermeasures Program

It is recommended that the countermeasures program establish an orientation session or prepare a booklet for persons arrested for DWI. The material in the orientation presentation should include:

- Information on how to obtain legal advice and representation, including public defenders, legal aid, bar association, etc.
- A description of the Alcohol Countermeasures program emphasizing its purposes and goals
- A description of the rights and responsibilities of the defendants
- A description of the countermeasures rehabilitation and driver retraining programs.

(5) Courts Should Implement Procedures for Efficient Case Disposition and Plea Bargaining

It is recommended that the courts establish a series of guidelines to promote fair and expeditious disposition of DWI cases. Guidelines should include:

- Instructions limiting the number of appearances allowed for each case
- Limitations on the time before trial is held.

(6) Judges Should Strive to Maintain Officer's Faith in Court Justice Through Positive Actions

Judges should take the following steps to ensure police support for court activities remain high.

- Participate in police officer training to instruct the officer in the adversary context of our judicial system, the restraints this places upon the judge and the officer, and what is expected of the officer by the court.
- Conduct all judicial proceedings in open court whenever possible. The officer should be made aware of the reasons for "meetings in chambers". This will go far toward reducing the officer's concern about "back room justice".
- Insist that judges, counsel, and other officers of the court treat police officers with respect during the conduct of judicial proceedings.

5. Training Requirements

Training can overcome fears and reshape attitudes. Following are summaries of training recommendations.

(1) Training in Operations of Enforcement Countermeasures Should Be Given

Subjects to be covered in this area should include:

- Aggressive Patrol Techniques
- Processing Female DWIs
- Determining Social and Problem Drinkers
- Field Testing and Breath Testing
- Deterrent Value of DWI Enforcement
- Impact of Influencing Factors
- Deployment Strategies and Implementation.

(2) Training in the Officer's Responsibilities Pertaining to the Adjudication and Sanctioning Process Should Be Given

Training in this area should include instruction from prosecutors, judges and other court personnel as well as the Court Liaison Officer, and include material pertaining to the police officer's role in the criminal justice system.

(3) Officers Should Receive Training Materials on Various Countermeasure Policies and Objectives

Training in this area should include:

- Law Enforcement Agency Policy
- Performance Evaluation
- The Countermeasures Program
- Community Relations.

(4) Officers Should Be Given Periodic Retraining in DWI Enforcement

As the program progresses, officers should be given "refresher" sessions in all of the areas previously described.

(5) Supervisors Should Receive Training in Current Supervisory and Management Techniques

Since the countermeasures supervisors will be responsible for the day-to-day management of the unit and its men, their training should equip them to handle a large variety of situations. Good supervisory and management techniques should be stressed as well as the following topics:

- Monitoring of Officer's Activities
- Use of Information Systems
- Officer Performance and Evaluation Standards
- DWI Policy
- Countermeasure Operations
- Court Presentations

- Community Relationships
- DWI Problem in the Community
- Factors that Influence an Officer's DWI Decisions
- Techniques of Supervision and Motivation

(6) Law Enforcement Agency Administrators Should Receive Training in DWI Enforcement Operations and Management

- Personnel Selection
- Police Program Management
- DWI Policy
- Countermeasures Operations
- The DWI Problem in the Community
- Management Information Systems Relating to DWI Enforcement
- Factors that Influence a Police Officer's DWI Decisions
- Community Relationships
- Court Liaison.

APPENDIX B.

Workshop Leader and Participant Qualifications

This appendix contains a brief description of the personnel qualifications that have been assumed in the design of the workshop. They are included here to help the workshop leader understand generally what is expected of him in terms of his own preparation and in terms of the level and background of participants.

A. Workshop Leader Requirements

It is important that this workshop be under the overall cognizance of a senior police training officer. Much of the content concerns specialized police activities, such as patrol, arrest and booking procedures, and specialized enforcement programs. An experienced police officer can be expected to have better knowledge of such activities than an instructor from outside the police community. In addition, the credibility of the workshop is greatly enhanced if the leader is recognized as a skilled, experienced policeman. Also, it would be highly desirable that the workshop leader be experienced in both training and operations, for alcohol-related enforcement. Since the attendees will be command and supervisory personnel, it is suggested that an instructor at the level of lieutenant or higher might be most effective.

Whatever basic police skills the workshop leader possesses, two characteristics are absolutely essential for the effective conduct of this workshop. The first is that the leader must become thoroughly conversant with results of both of the studies that underlie this workshop. The second is that he must be skilled and experienced in leading group discussion or seminars. In this activity the workshop leader must be able to keep the objective of a given session in clear focus for each participant. He must be able to elicit and encourage discussion relevant to each of the objectives, and be able to avert any tangential or nonrelated discussion. Also, in group discussion, the leader must be able to direct, but not dominate, the discussion of the participants.

It is difficult, in the absence of direct experience, to determine whether or not a given instructor has these characteristics, particularly the ability to control group discussion effectively. It can be expected that the sponsoring agency would have available some number of potential leaders whose experience as instructors and police officers is known to the agency. If the sponsoring agency is doubtful about the capabilities of a given instructor, it is not unreasonable to consider a test situation in which a candidate instructor is asked to conduct a unit of this workshop on a trial basis with a sample group that might represent the intended audience for this workshop. In this way, a practical evaluation of the skills of the instructor can be made.

The need for strong and effective leadership of discussions cannot be overemphasized. The workshop is intended to make the content relevant to local needs and problems by means of these discussions. Therefore, the discussion sessions are critically essential to the objectives of the workshop. It is also extremely important for the "image" or the credibility of this workshop that the discussion sessions, as well as the lecture sessions, be extremely efficient. If in any presentation the workshop earns the reputation of being loosely organized or wandering, the credibility of any subsequent sessions is greatly weakened.

B. Participant Requirements

Basically, the requirement for participants in this workshop is simply that they have supervisory or management responsibilities in a police organization. Since the workshop is in the area of alcohol-related offenses and enforcement, the participants would obviously be expected to have responsibilities in alcohol-related enforcement. Police managers with other responsibilities may well be interested in the topic of this workshop, yet not be sufficiently motivated to participate as thoroughly as would the manager concerned with traffic and alcohol-related enforcement.

It is noted frequently throughout this guide that the scope of the workshop is extensive. There is a great diversity and amount of material encompassed within the 2-1/2 days of presentations. It is not reasonable, then, to expect completely naive or unprepared attendees to absorb all of this material solely through the workshop. Therefore, the participants will be expected to have had some background in alcohol-related enforcement, as well as an awareness, at least, of alcohol-related offenses and highway safety. Some background is provided by the Participant's Guide which is designed for use by the participant prior to his attendance at the workshop. This guide, along with the suggested readings, will help prepare the participants to benefit fully from this workshop by allowing them to concentrate on application and the suggested action items.

APPENDIX C.

Controlled Drinking Demonstration

The material contained in this appendix appears in more detail in the Planning Guide for this Workshop. This summary has been prepared and is presented here to provide the workshop leader with a broader understanding of the controlled drinking demonstration. It is expected that the leader will thereby be better equipped to carry out his specific functions in the demonstration unit.

A. Background

A controlled demonstration is an effective, valuable means for establishing a clear understanding of the relationship among alcohol ingestion, blood alcohol concentration, and performance. It would appear that blood-alcohol concentration or BAC, which is expressed as a percent of alcohol by weight in a given volume of blood, is a difficult concept for many people to relate either to the amount of alcohol consumed or to resultant behavior. For example, in the research that underlies this workshop, it was found that fewer than one out of five patrolmen could accurately estimate the amount of alcohol that would be required to bring their own BAC to the legal, presumptive limit. An actual demonstration would obviously dramatize that relationship.

In virtually all of the alcohol-related training developed by NHTSA, a demonstration has been used. The ability of these sessions to illuminate the BAC/alcohol relationship and to impress that relationship on the trainees is well documented. There is a practically unanimous endorsement by instructors as well as trainees.

Another research finding is that many officers hold the view that the legal limit of .10% is low and that persons with that BAC are "not very drunk." Here again, a demonstration of the decrement in behavior or performance as BAC increases is an effective teaching tool. Users have also attested to this advantage of controlled drinking demonstrations.

The training administrator must view these undeniable advantages against the difficulties of achieving them. It will be helpful, first of all, to list the difficulties or possible disadvantages:

1. Even a well run demonstration is a time-consuming session (at least four hours) and could result in residual effects--hangover and fatigue--that may detract from subsequent training.

2. The health and safety of the participants is always a consideration and might be particularly of concern in this workshop as it is addressed to command and supervisory personnel who are likely to be middle-aged or older.

3. A session involving drinking could, without adequate control, easily become a strictly socializing time.

4. Some drinkers develop undesirable behavior--moody, aggressive, etc.--which, if not controlled or countered, could completely disrupt the session.

5. These sessions require special equipment and facilities that are often not available in traditional police training facilities.

6. Food intake must be controlled to provide for reasonably predictable and controllable alcohol absorption into the blood. This may be difficult to enforce in this workshop, addressed as it is to management-level personnel.

7. If the training site does not include living quarters, special provision must be made to transport drinking participants to their living quarters.

B. Performance Testing

The objective of performance testing in the demonstration is, of course, to illustrate changes in performance associated with elevated BAC levels. A driving simulator provides an excellent test which is obviously related to the purpose of this workshop. However, such devices are not readily available. Other studies have shown that visual reaction time is a good measure of performance for these demonstrations. The task--responding to a visual signal--is a realistic one for the driving situation. Also, speed of reaction is an important criterion for good driving. Finally, reaction time is a reliable indicator: it increases with alcohol intake for virtually all people.

It is possible to construct a reaction time device locally or to buy one from available sources at a reasonable price. For training facilities having access to a college psychology department, it might be possible to borrow such a device as it is commonly used in psychological experiments.

In addition to reaction time, it is suggested that roadside sobriety tests in use in the local area be incorporated into the demonstration. Not only will changes in performance be apparent, but the relative efficiency of these tests can be assessed.

C. Special Considerations

Some considerations in planning the controlled drinking demonstration merit special emphasis for the health, safety and comfort of the volunteers. The following list recapitulates these:

1. Adequate and comfortable rooms including toilet facilities must be provided.

2. Stairways, crowded access routes, unstable furniture and dangerously sharp protrusions on furniture or fixtures must be avoided.

3. It is desirable to have a physician present.

4. No attempt to coerce volunteers to drink can be allowed.

5. No firearms are allowed in the demonstration area.

6. No volunteer can be allowed to drive after drinking.

7. No training staff member will take part in the drinking.

D. Alternative Activities

Despite the advantages of the demonstration as a training technique, it may be impossible to schedule this activity. For instance, some jurisdictions may forbid the use of alcohol on the training premises and other facilities may not be available. In such an event, the evening session is to be devoted to the unit on the nature and effects of alcohol intoxication. The unit scheduled on the second morning for review of the demonstration would then be devoted to a film about alcohol-related offenses. The outline for the review unit (Unit 10) includes information about the content and availability of some films that could serve as substitutes for the demonstration. Any films of similar content that are available may be used.

APPENDIX D.

Chemistry and Physiology of Alcohol

This contains information on the properties of alcohol, its physiology and chemistry in the human body. Some properties of BAC and its computation are also included.

Table III (Pages D-14 - D-19) lists medical symptoms that can be confused with intoxication.

A. Alcohol Properties and Production

1. Types of Alcohol

a. Ethyl Alcohol. The alcohol found in alcoholic beverages is known as ethyl alcohol. Other common names include grain alcohol, neutral spirits and ethanol. Its chemical formula is C_2H_5OH. It is a clear, colorless liquid that imparts a burning sensation to the mouth and throat when swallowed. Pure ethanol has a very slight, pleasant odor; the odor commonly associated with an alcoholic beverage usually comes from the raw material used to make the drink or from added flavoring. It is freely miscible (soluble) in water.

Ethyl alcohol has a depressant effect on the body. It is generally harmless when consumed moderately but can be highly poisonous when consumed in quantity.

Ethyl alcohol can be produced both synthetically and by fermentation of sugars. When it is to be consumed as a beverage, legally it must be produced by fermentation. Synthetically produced alcohols, used for industrial purposes, are typically denatured to make them unfit for human consumption. Denaturing involves the addition of a small percentage of unpleasant or poisonous substances. Their removal to make the alcohol fit for human use would be extremely time-consuming and costly. Denatured alcohol is not taxed.

b. Methyl Alcohol. Methyl alcohol is commonly known as wood alcohol, since it was formerly made by the destructive distillation of wood. It is presently largely made synthetically. It is known as methanol. Its chemical formula is CH_3OH. Methyl alcohol is a colorless liquid with a wine-like odor and a burning taste. It is used in the manufacture of industrial solvents and chemicals and is highly poisonous if swallowed or inhaled.

c. Other Alcohols. There are many other types of alcohols used for various purposes. For example, isopropyl alcohol is used as a rubbing base alcohol; butyl alcohol is a base for perfumes and fixatives.

2. Production of Alcohol

a. Sources. Any material can serve as the basic material for alcohol as long as it contains 12-15% sugar. Such materials might be fruit juices, malt or cereal grain extract, vegetable pulp (potato, cactus), and molasses.

b. Fermentation. Fermentation is the process by which all drinking alcohols are produced. Yeast from the air, or added as a pure culture, produces alcohol and carbon dioxide by fermenting the sugars in fruit juice, cereal grain mash, or other raw material. Maximum alcohol content of a fermented beverage is 14-15% by volume; higher alcohol contents are produced by a further process of distillation.

c. Distillation. Whiskey, gin, rum, brandy, etc., attain high alcohol contents through the process of distillation. Alcohol boils at 78.3°C (173°F) and water at 100°C (212°F). When a mixture of alcohol and water is heated, the alcohol boils at a lower temperature. The resultant steam is caught and cooled. By repeating the process, nearly pure ethanol can be obtained.

d. Types of Beverages. The cources, method of production and approximate alcoholic content of some typical beverages are shown below:

Beverage	Most Common Raw Material	Method of Production	Approximate Alcohol Content-Percent (v/v)
Red Wine	Red skinned grapes	Fermentation	Up to about 14
Champagne	Grapes	Grape juice in process of fermentation bottled at 10-14% alcohol, fermentation continues producing carbon dioxide, hence bubbled or sparkling wine	About 14
Cider	Apples	Fermentation	8-10
Beer	Cereals--as rye	Brewing-fermentation stopped at desired alcohol content	3.5-6

Beverage	Most Common Raw Material	Method of Production	Approximate Alcohol Content-Percent (v/v)
Whiskey	Cereals (rye, corn, barley, etc.)	Distillation	15-50
Gin	Cereals, etc.	Ethanol + water + flavoring	50

e. Congeners. In addition to alcohol and water, alcoholic beverages contain numerous compounds or impurities known as congeners. These typically impart a characteristic flavor and odor to the beverage. They constitute a very small proportion of the total volume of the beverage. There is no evidence that congeners contribute in any discernible degree to the depressant effect of alcoholic beverages.

f. Proof System. In the United States, the proof of an alcoholic beverage is twice the percentage of alcohol by volume. Thus, an 86-proof bottle of whiskey contains 43% of alcohol by volume. Most alcoholic beverages have a maximum of approximately 50% alcohol by volume; the remainder consists of water and flavoring agents (congeners). For example, beer has a relatively low alcoholic content and is approximately 90% water.

B. Physiology of Alcohol

The course of alcohol in the human body is described below in terms of absorption, distribution and elimination.

1. Absorption

Alcohol is typically swallowed and travels from the mouth through the esophagus to the stomach. Here part of the alcohol is absorbed directly into the blood stream by the process of diffusion; the remainder is absorbed in the small intestine. The rate of flow from the stomach to the small intestine is controlled by the pylorus, which opens and closes at the base of the stomach to permit or inhibit the passage of solids and liquids.

a. Rate. The rate of absorption varies somewhat from person to person and for the same person at different times depending on the condition of his body. However, alcohol begins to pass into the bloodstream within 1 to 2 minutes after it is consumed, most alcohol is absorbed within 15 minutes, nearly 90% is absorbed within 1 hour, and nearly all is absorbed in 1.5 hours. Three hours may be required for complete absorption.

b. Factors That Affect Rate of Absorption. Absorption through the stomach wall is slow and represents only a portion of total alcohol intake. Absorption through the small intestine is rapid. Therefore, anything that increases emptying time of the stomach increases absorption rate; anything that delays emptying time slows absorption rate. Both dilution of the alcoholic beverage and food in the stomach affect rate of absorption. Absorption is slow in both very dilute and very strong beverages. Food in the stomach delays absorption because stomach emptying time is delayed. This applies to eating while drinking and to eating before drinking.

2. Distribution

The alcohol travels from the stomach and small intestine via the portal vein to the liver. From the liver, it travels to the heart, the lungs, and back to the heart from which it is pumped to all parts of the body. Alcohol has an affinity for water and is stored in the body tissues in proportion to their fluid content. Organs such as the brain, liver and kidney, which have a large blood supply, initially receive a disproportionately large quantity of circulating blood. When absorption and distribution are complete, equilibrium is achieved, that is, alcohol is proportional to fluid content.

3. Elimination

Once absorbed into the blood stream, the body immediately starts to eliminate the alcohol. This is largely accomplished in the liver where the alcohol is oxidized to carbon dioxide and water. Some small portion (less than 10%) is eliminated directly through urine, breath, perspiration, tears and saliva.

a. Rate of Elimination. As soon as alcohol is absorbed into the blood system and travels to the liver, the body immediately starts to eliminate it. The average rate of elimination is reported as 0.015 to 0.018% per hour and varies between 0.01 and 0.025% per hour. At very low BAC's, the average rate of elimination is about 0.01% per hour. For a man weighing 150 pounds, the quantity eliminated in one hour is about 7g or 2/3 oz. of 100-proof whiskey. Although there is some controversy in the literature, the preponderant evidence indicates that the rate of elimination is essentially linear, that is, for any given person at a given time, the rate of alcohol elimination per hour will be essentially constant.

b. Factors Affecting Rate of Elimination. In general, the rate of elimination is not affected by stimulants, diseased states or exercise. Where changes in rates have been noted, they are too small to be of any practical value. Because of the small quantity excreted directly, any attempt aimed at eliminating alcohol through increasing breathing rate, urine or perspiration has little or no effect.

4. Factors Affecting BAC

Many factors affect the blood alcohol concentration (BAC) which results from the processes described above. Some of the major factors are described below.

a. Body Weight vs. Drinks Consumed. In general, a heavier person can consume more alcoholic beverages than a lighter one to attain the same BAC level. A chart of BAC values for different body weights and drinks consumed is shown in Table I.

The example in the table uses an average elimination rate of 0.015% as a means of accounting for the factor of "time since first drink" in estimating BAC. It should be noted again that this rate of elimination is an average rate and, therefore, should be used with caution in making such estimates.

b. Empty Stomach vs. Full Stomach. Food in the stomach will delay absorption and result in a lower BAC than would be obtained if the stomach were empty. Instead of decreasing immediately, a plateau at that BAC will be maintained for a longer period of time than if the stomach were empty. The amounts of 80-proof liquor required to reach various BAC's under conditions of both full and empty stomachs may be estimated from the charts in Figure 1.

c. Rate of Drinking and Quantity Consumed. The BAC also varies with the total quantity of alcohol consumed and the rate of drinking. In general, maximum BAC's are reached 20 to 30 minutes after consuming a single drink on an empty stomach. When drinks are consumed successively over time, the BAC rises with each drink, reaches a maximum 15 to 20 minutes following ingestion of the last drink and starts to decline from this maximum. When several drinks are consumed in a very short period of time, peak BAC's may not appear until 45 minutes to 1-1/2 hours after ingestion of the last drink.

Table I.

Percent of Alcohol in Blood

Body Weight	Number of Drinks											
	1	2	3	4	5	6	7	8	9	10	11	12
100 lb.	.038	.075	.113	.150	.188	.225	.263	.300	.338	.375	.413	.450
110 lb.	.034	.066	.103	.137	.172	.207	.241	.275	.309	.344	.379	.412
120 lb.	.031	.063	.094	.125	.156	.188	.219	.250	.281	.313	.344	.375
130 lb.	.029	.058	.087	.116	.145	.174	.203	.232	.261	.290	.320	.348
140 lb.	.027	.054	.080	.107	.134	.161	.188	.214	.241	.268	.295	.321
150 lb.	.025	.050	.075	.100	.125	.151	.176	.201	.226	.251	.276	.301
160 lb.	.023	.047	.070	.094	.117	.141	.164	.188	.211	.234	.258	.281
170 lb.	.022	.045	.066	.088	.110	.132	.155	.178	.200	.221	.244	.265
180 lb.	.021	.042	.063	.083	.104	.125	.146	.167	.188	.208	.229	.250
190 lb.	.020	.040	.059	.079	.199	.119	.138	.158	.179	.198	.217	.237
200 lb.	.019	.038	.056	.075	.094	.113	.131	.150	.169	.188	.206	.225
210 lb.	.018	.036	.053	.071	.090	.107	.125	.143	.161	.179	.197	.215
220 lb.	.017	.034	.051	.068	.085	.102	.119	.136	.153	.170	.188	.205
230 lb.	.016	.032	.049	.065	.081	.098	.115	.130	.147	.163	.180	.196
240 lb.	.016	.031	.047	.063	.078	.094	.109	.125	.141	.156	.172	.188

The table shows the estimated percent of alcohol in the blood for number of drinks consumed and different body weights. The percent can be estimated by doing the following:

1. Count your drinks (1 drink equals 1 ounce of 100-proof liquor or one 12-ounce bottle of beer).

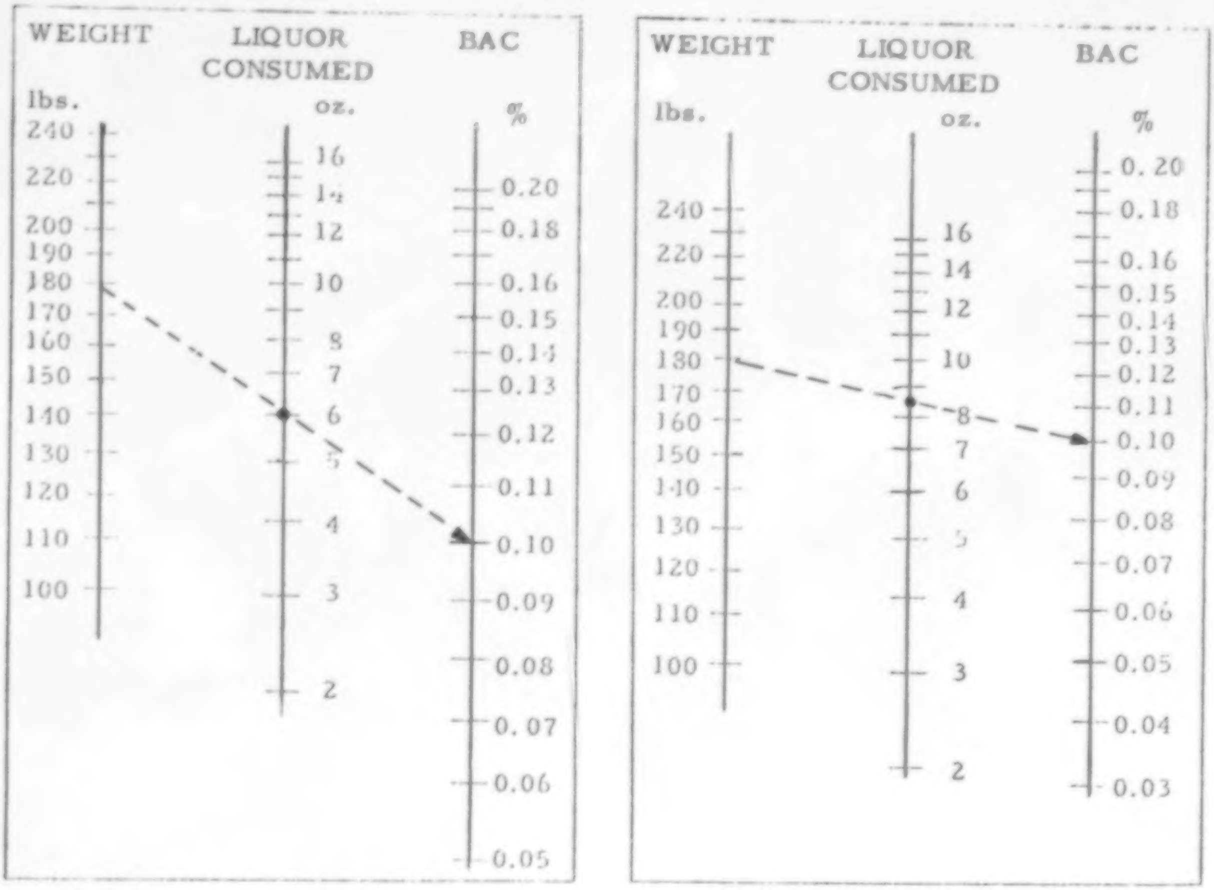
2. Find the percent of blood alcohol listed in the table under the number of drinks and opposite body weight.

3. To estimate the percent of alcohol "burned up," decrease the figure in the table by .015 for each hour after the start of drinking.

Example: 180 lb. man consumes 8 drinks in 4 hours

.167 (from table) minus (.015 x 4 hours) = .10%

Figure 1. Amount of 80-Proof Liquor Consumed in One Hour to Reach Given BAC's



EMPTY STOMACH

Little or no food prior to drinking

Adapted from a chart by U. S. Dept. of Health, Education and Welfare

FULL STOMACH

Between 1 and 2 hrs. after average meal

Adapted from a chart by Royal Canadian Mounted Police

To determine the amount of 80-proof liquor needed in one-hour period to reach 0.10%, draw a straight line from body weight to 0.10%. The line will intersect the number of ounces needed to produce 0.10%. Do the same to determine the amount of liquor needed to reach other BAC's. Charts show rough averages only, since many factors affect the rate of alcohol absorption into the blood stream. The rate of elimination of alcohol from the bloodstream is approximately 0.015% per hour. Therefore, subtract 0.015 from the BAC indicated on the charts for each hour after the start of drinking.

C. Pharmacology of Alcohol

1. Effects on the Central Nervous System

Alcohol is a depressant and not a stimulant. Many people think it is a stimulant since its first effect is to reduce tension and give a mild feeling of euphoria or well being. It affects the most recently developed part of the brain first--that part controlling a person's judgment and morals. Its last effect is on the oldest part of the brain--that part controlling a person's automatic body functions so that the individual completely loses control of himself, passes into a coma and ultimately dies if the respiratory center in the brain ceases functioning. In between, there is a progression of deterioration that affects a person's speech, vision and equilibrium.

a. Stages of Intoxication. The stages of alcoholic influence are shown in Table II. The BAC is stated as a range of values since not all people are affected the same at a given BAC. Further, there is no single BAC that defines a given stage. One stage merges into the next as the effects of alcohol become more severe.

b. Effects on Vision. Pupils of the eye generally dilate (enlarge) and reaction to light becomes sluggish. At BAC's of 0.10% people are unable to fuse completely the image seen by each eye into a single image. Glare is more bothersome and distance judgment is impaired. The time to adjust from far to near vision may be increased from 0.10 to 0.20 seconds at a BAC of 0.06%.

c. Effects on Reaction Time and Coordination. Alcohol causes an impairment in muscular coordination; the threshold of impairment has been demonstrated to be as low as a BAC of 0.02%. Reaction time is increased. Each person appears to have a threshold BAC at which impairment begins; then small additional doses of alcohol produce large losses in coordination. Motor tasks which require coordination or complex discrimination are impaired at BAC's of 0.05%.

2. Effects on Other Body Organs, Systems and Tissues

a. Effects on Skin. Alcohol has antiseptic properties. It absorbs heat upon evaporation and, therefore, imparts a cool and soothing feeling when rubbed on fevered skin. Following absorption, alcohol enlarges the blood vessels of the skin and permits an increase in the amount of blood circulating in the skin; this accounts for the flushed face of the drinker.

Table II.

Stages of acute alcoholic influence/intoxication[1]

ETHYL ALCOHOL LEVEL, Percent by Weight Blood (Urine)	STAGE OF ALCOHOLIC INFLUENCE	CLINICAL SIGNS/SYMPTOMS
0.01-0.05 (0.01-0.07)	Sobriety	No apparent influence Behavior nearly normal by ordinary observation Slight changes detectable by special tests
0.03-0.12 (0.04-0.16)	Euphoria	Mild euphoria, sociability, talkativeness Increased self-confidence; decreased inhibitions Diminution of attention, judgment, and control Loss of efficiency in finer performance tests
0.09-0.25 (0.12-0.34)	Excitement	Emotional instability; decreased inhibitions Loss of critical judgment Impairment of memory and comprehension Decreased sensitory response; increased reaction time Some muscular incoordination
0.18-0.30 (0.24-0.41)	Confusion	Disorientation, mental confusion; dizziness Exaggerated emotional states (fear, anger, grief, etc.) Disturbance of sensation (diplopia, etc.) and of perception of color, form, motion, dimensions Decreased pain sense Impaired balance; muscular incoordination; staggering gait, slurred speech
0.27-0.40 (0.37-0.54)	Stupor	Apathy; general inertia, approaching paralysis Markedly decreased response to stimuli Marked muscular incoordination; inability to stand or walk Vomiting; incontinence of urine and feces Impaired consciousness; sleep or stupor
0.35-0.50 (0.47-0.67)	Coma	Complete unconsciousness; coma; anesthesia Depressed or abolished reflexes Subnormal temperature Incontinence of urine and feces Embarrassment of circulation and respiration Possible death
0.45 + (0.60 +)	Death	Death from respiratory paralysis

[1] Prepared by: Kurt M. Dubowski, Ph.D., FAIC, Director, Department of Clinical Chemistry and Toxicology, University of Oklahoma, School of Medicine, Oklahoma City, Oklahoma; Member, Committee on Alcohol and Drugs, National Safety Council.

b. Effects on Circulation. Low BAC's have very little effect on circulation except to enlarge blood vessels of the skin as discussed above. There is no evidence that alcohol improves circulation; on the contrary, it appears to impair circulation. At a BAC of 0.45% or greater, death may result from respiratory or cardiac arrest.

c. Effects on Kidney. Aside from the fact that alcohol is a mild diuretic (that is, it increases urine output), moderate use of alcohol does not appear to cause any kidney damage.

d. Effects on Liver. Alcohol causes an accumulation of fat in the liver, a condition referred to as fatty liver. It may result in an inflammation of the liver, commonly called cirrhosis. However, cirrhosis appears to be more a result of the poor diet of the alcoholic rather than a direct result of alcohol. Moderate use of alcohol does not appear to have a harmful effect on the liver of healthy, well nourished people.

e. Symptoms of Alcohol Influence. Common symptoms of alcoholic influence are:

- Odor of alcoholic beverages on the breath
- Swaying or unsteadiness-staggering
- Poor muscular coordination
- Confusion
- Sleepiness
- Disorderly appearance
- Speech impairment, such as slurred, confused, thick tongue
- Dizziness
- Nausea
- Unusual actions, such as very talkative
- Visual disorders--fixed stare-glassy eyes
- Flushed skin

This list is not all-inclusive nor does any one symptom or combination of symptoms mean that the person is intoxicated. Numerous illnesses/injuries can produce the same symptoms as alcoholic influence. It might be pointed out that a chemical test can protect both law enforcement groups and the public by providing an alert to the need for medical attention. An unusually low BAC can serve to indicate that the suspect's abnormal behavior is due to some illness or injury other than alcohol. An unusually high BAC also indicates the need for medical attention in order that the danger of respiratory or cardiac arrest can be avoided.

f. Alcohol Combined with Other Drugs. Alcohol combined with other drugs can cause special problems. As stated above, medical care should be obtained for any individual who has a low BAC but appears to be markedly under the influence. The effects of alcohol combined with stimulants and other depressants are discussed below.

- Stimulants (caffeine, amphetamine, tec.). Stimulants do not counteract the depressing effect of alcohol. They are only temporarily effective with regard to the grosser aspects of drunkenness. They may be used to temporary arousal in severe intoxication, but the arousal effect is brief.

- Depressants (analgesics, antihistamines, tranquilizers, etc.). The depressant effect of alcohol and other drugs will be added together and, in some instances, the resultant effect will be greater than the expected combined effect of the two drugs. Since such depressants are used widely and indiscriminately by the public, their use with alcohol could cause a serious problem for the driver.

- Narcotics (opium, morphine, cocaine, marihuana, LSD, heroin, etc.). Animal studies have indicated additive and supra-additive effects of narcotics and alcohol; human studies are understandably lacking. In examining the drunk driver suspect, the trainee should be alert to the possibility that the individual's behavior may be due to a narcotic or to a combination of narcotic and alcohol.

g. Tolerance to Alcohol. It is well known that people react differently to liquor, that is, some are better able to "hold" their liquor better than others. Different individuals at the same BAC react differently. Although it may be said that the heavy drinker has learned to compensate for the effects of liquor (for example, by standing with his feet farther apart to minimize swaying), tolerance has been noted in the person with no previous exposure. Individuals with the same weight can attain different BAC's from the same amount of alcohol. It is the opinion of most investigators that tolerance is limited and occurs most frequently at BAC's of 0.10% or less.

The exact reasons for differences in tolerance to alcohol are unknown but the following reasons have been proposed:

- Delayed absorption
- Decreased penetration in the central nervous system
- Increased elimination
- Increased water content of the body
- Increased tissue tolerance
- Variation in the ability of individuals to respond to stress

Table III.

Some Pathological Conditions Having Symptoms in Common with Those of Alcohol Influence

Acetone Odor of the Breath (a fruity odor, which may be mistaken for the odor of alcoholic beverages):

- Concussion of brain
- Delirium tremens (form of acute insanity accompanied by trembling)
- Diabetes
- Food poisoning
- Intestinal obstruction
- Severe migraine (headache)
- Starvation
- Stomach cancer
- Stomach ulcer
- Uremia (blood poisoning due to malfunctioning of the kidneys)
- Vomiting
- Wasting diseases, such as cancer, malaria, syphilis, tuberculosis

Amnesia (loss of memory):

- Dementia (insanity which may be general, paralytic, senile, or toxic)
- Epilepsy (the epileptic usually has no memory of the convulsion which may have lead to an accident and his subsequent arrest)
- Hysteria (a nervous disorder characterized by lack of control over acts and emotions)
- Korsakoff's Syndrome (peculiar mental disturbance, usually the result of alcoholism. The victim talks freely and often plausibly about events that have never taken place.)
- Toxemia (blood poisoning from microbic and other poisons, particularly encephalitis (inflammation of the brain)
- Trauma (an injury, particularly of the brain)

Ataxia (failure of muscular coordination, a condition characterized by imperfectly coordinated movements):

- Ataxia due to chemicals, drugs or gases
- Ataxia due to mental shock or fright
- Chorea (convulsive nervous disease, "St. Vitus dance")
- Chronic Progressive Chorea (Huntington's Chorea) (characterized by muscular spasms, facial contortions, lurching gait)
- Hysterical Ataxia (failure of muscular coordination due to psychoneurosis [nervous disorder affecting the mind])

- Injury to nerves or muscles
- Labyrinthitis (infection of the inner ear)
- Peripheral Neuritis (inflammation of terminal nerves, usually the result of chonic alcoholism or diphtheria)
- Pernicious Anemia (improper development of red blood cells, usually with nerve conduction impairment)
- Spinal Cord Lesions:
  - Multiple Sclerosis (fibrous overgrowth of spinal cord)
  - Myasthenia Gravis (muscular weakness-head tends to fall forward)
  - Syringomyelia (degeneration of spinal cord caused by abnormal cavities filled with liquid in substance of the cord)
  - Tabes dorsalis (degeneration of the spinal cord and nerve-trunks, usually caused by syphilis)
  - Tumors of spinal cord
- Traumatic Ataxia (failure of muscular coordination due to injury)

Coma (unnatural, heavy, deep sleep sometimes ending in death):

- Cavernous Sinus Thrombosis (clotting of blood associated with infection in venous blood spaces in the skull)
- Diabetes
- Effect of chemicals
- Effect of extremes of temperature, such as sunstroke, heat stroke, or excessive cold
- Excessive, internal loss of blood
- Head injuries
- Embolism (usually blood clot or tumor cells lodging in brain)
- Hysterical trance (abnormal sleep due to hysteria during which sensibility and consciousness may remain)
- Insulin shock (due to overdose of insulin)
- Post-epileptic state
- Sudden nervous shock
- Uremia

Delirium (mental disturbance marked by hallucinations, incoherence, illusions, etc.):

- Acidosis (depletion of alkali reserve of the body resulting in increased acidity, such as in cases of diabetes)
- Bites or stings of reptiles, insects, etc., such as bee, hornet, and wasp stings; jelly fish contacts; snake bites
- Blood loss
- Brain lesions, such as acute meningitis
- Delirium associated with stopping of a drug habit
- Drugs, such as aconite, marijuana, cocaine, etc.
- Fever from acute infections
- Hysteria
- Infection from animal bites, e.g., hydrophobia or rat bite fever

Poisonous foods or allergic food reactions
Sunstroke

Drowsiness:

Acute anemia
Concussion of brain
Diabetes
Drugs
Encephalitis lethargica (sleeping sickness)
Uremia

Eye Disorders (bloodshot eyes, pupils do not contract or do not dilate, etc.):

Acute conjunctivitis (Pink eye)
Foreign body in eye
Glaucoma (disease of eye marked by increased ocular pressure)

Hay Fever and Similar Allergic Disorders

Iritis (inflammation of the colored part of the eye)

Trachoma (a contagious disease marked by granular eyelids)

Contracted Pupils (pupils of eyes decreased in size, normally by bright light):

Brain hemorrhage in Pons (connecting organ in the brain)
Farsightedness
Opium derivatives
Tabes Dorsalis (pupils occasionally large)
Uremia

Dilated Pupils (enlarged pupils of the eyes, normally caused by dim lights):

Acute Mania (insanity)
Anemia
Aneurysm (ballooning out of weakened arterial wall)
Apoplexy (sudden paralysis and coma due usually to blood escaping into brain or to clotting of blood in a blood vessel of the brain)
Asphyxia (deficiency of oxygen in the blood marked by suffocation)
Catalepsy (nervous disease marked by attacks of suspension of voluntary motion and sensibility)
Concussion of brain
Drugs, such as atropine, cocaine, epinephrine, eumydrin, homatropine, hyoscine
Dyspnea (difficult breathing)

Fright
Glaucoma
Mediastinal Tumor (tumor in the middle part of the chest)
Morphinism (during period of withdrawal of morphine from addict)
Most comatose conditions (those affected with coma), except from opium or uremia
Nausea, usually
Nearsightedness
Reflexly, from pain
Toxic Goiter (overactivity of the thyroid gland, usually resulting in swelling of the neck and causing a toxemia from the excess secretion of thyroxin)

Inequality of Pupils (difference in size of the two pupils):

Apoplexy
Artificial eye
Brain Tumor
Cerebral Abscess (collection of pus in a cavity formed in the brain)
Multiple Sclerosis
Refraction unequal in both eyes
Skull fracture
Syringomyelia
Tabes Dorsalis

Flushed Face:

Acne Rosacea (chronic inflammation of the face and nose)
Aneurysm of Ascending Aorta (ballooning out of one of great arteries of the heart)
Apoplexy (stroke)
Arteriosclerosis (hardening of the arteries)
Cerebral Concussion (injury to the main part of the brain)
Chemical or Drug Poisoning (by amyl nitrite, belladonna, carbon monoxide, hyoscyamus, nicotinic acid, or nitroglycerin)
Chlorosis (peculiar anemia causing greenish pallor of the skin but marked also by occasional flushing of the face)
Chronic Pulmonary Tuberculosis (disease of the lungs)
Diabetes
Emotions (blushing)
Epilepsy
Exophthalmic Goiter (a goiter accompanied by protruding eyeballs)
Hysteria
Indigestion often with hypochlorhydria (insufficient hydrochloric acid in the gastric juice)
Lactation (period of secretion of milk in a female)
Menopausal hot flash (condition caused in female during change of life)

Mitral Stenosis (narrowing of the left valve to the heart)
Neurasthenia (nervous prostration)
Polycythemia Vera (disease characterized by great excess of red blood cells)
Sunstroke

Shock and Collapse:

Acute Appendicitis
Acute Intestinal Obstruction
Acute Pancreatitis (inflammation of the digestive gland which may be fatal)
Acute Peritonitis (inflammation of the membrane which lines the abdominal walls)
Acute Pneumothorax (sudden, often spontaneous, rupture of lung)
Angina Pectoris (spasm of heart arteries)
Apoplexy (stroke, caused by ruptured blood vessel or blood vessel suddently blocked by clotted blood)
Coronary Thrombosis (blood clot in heart artery)
Injury (particularly skull fracture)
Insulin Shock
Perforated gastric or duodenal ulcer
Poisoning
Psychic Trauma (emotional shock)
Ruptured Aortic Aneurysm

Speech Disorders:

Adenoids
Aphasia (impairment or loss of speech due to loss of memory commonly from apoplexy or cerebral thrombosis [blood clot in brain])
Cleft Palate
Chorea
Dysarthria (disordered articulation usually due to paralysis or incoordination of certain groups of muscles in lips, tongue, palate, etc.)
Facial Paralysis
General Paralysis
Hysteria
Infection of tongue or mouth
Jaw dislocation or fracture
Lisping
Mental Deficiency
Migraine
Multiple Sclerosis (results in slow "scanning speech")
Myasthenia Gravis (muscular weakness)

Myxedema (a disease which is the result of a thyroid deficiency, marked by dullness of mental faculties, sluggishness of movement, unsteadiness of gait, and thick speech)
Paralysis Agitans (Parkinson's disease) (shaking palsy)
Stammering
Toothlessness

Tremors (muscular twitching):

Cerebellar Tumor (tumor on portion of brain which coordinates movements)
Cerebral Tumor (tumor on the main part of the brain)
Chemical or Drug Poisoning (by absinthe, lead, manganese, mercury, narcotics, or tobacco)
Encephalitis Lethargica (sleeping sickness)
Exophthalmic Goiter
General Paresis (softening of the brain marked by insanity and paralysis)
Multiple Sclerosis
Neurosis (functional disorder of the nervous system)
Post-encephalic Parkinsonism (shaking palsy)
Senility (old age)

Vertigo (dizziness):

Anemia (deficiency in red blood corpuscles and/or iron)
Aortic Regurgitation (leakage of valve to great artery of the heart)
Arteriosclerosis of arteries of brain
Cerebellar Tumor
Cerebral Syphilis
Cerebral Tumor
Chronic Nephritis (chronic inflammation of the kidney)
Eyestrain
General Paresis
Hemorrhage (external or internal bleeding)
Injuries or infections of the brain
Intoxications (due to substances other than alcohol, such as barbiturates, belladonna, carbon monoxide, marijuana, opium, or quinine)
Labyrinthitis (infection of the inner ear)
Meniere's Disease (inflammation and congestion of the inner ear, characterized by dizziness, ringing of ears and some hearing loss)
Motion Sickness
Multiple Sclerosis
Neurosis
Paralysis of an eye muscle